

Title 3

REVENUE AND FINANCE

Chapters:

| | |
|-------------|--|
| 3.02 | FISCAL YEAR |
| 3.04 | TRANSFER OF TAXES |
| 3.08 | SALES AND USE TAX |
| 3.12 | DOCUMENTARY STAMP TAX |
| 3.14 | UTILITY USER'S TAX |
| 3.16 | CENTRALIZED PURCHASING SYSTEM |
| 3.18 | EQUAL EMPLOYMENT OPPORTUNITIES FOR PUBLIC WORKS CONTRACTS |
| 3.24 | REPORT AND ACCOUNTING FORMS |
| 3.28 | WARRANTS* |
| 3.30 | FEE AND SERVICE CHARGE REVENUE/COST COMPARISON SYSTEM |
| 3.31 | ADMINISTRATIVE CHARGES |
| 3.32 | STREET LIGHTING CHARGES |
| 3.36 | FUNDS |
| 3.38 | MOBILE SOURCE AIR POLLUTION REDUCTION PROGRAMS |
| 3.40 | ISSUANCE AND SALE OF REVENUE BONDS |
| 3.44 | IMPROVEMENT BONDS |
| 3.46 | DOWNTOWN PARKING AND BUSINESS IMPROVEMENT AREA |
| 3.48 | ARLINGTON BUSINESS IMPROVEMENT DISTRICT |
| 3.50 | HEALTH FACILITIES FINANCING |

Chapter 3.02

FISCAL YEAR

Section:

3.02.010 Designated.

Section 3.02.010 Designated.

The fiscal year of the City government shall begin on the first day of July of each year and end on the thirtieth day of June of the following year. (Ord. 5000 § 1, 1982)

Chapter 3.04

TRANSFER OF TAXES

Section:

3.04.010 Transfer of certain City tax functions to County.

Section 3.04.010 Transfer of certain City tax functions to County.

The duties of the assessor and tax collector of the City, relating to the assessing and collecting of City taxes, shall be hereafter performed for the fiscal year ending June 30, 1931, and until this section is repealed, by the County assessor and County tax collector in the manner and as provided by an act of the legislature of the State, entitled "An Act to Provide for the Levy and Collection of Taxes by and for the use of Municipal Corporations and Cities Incorporated Under the Laws of the State of California, Except Municipal Corporations of the First Class, and to Provide for the Consolidation and Abolition of Certain Municipal Offices and to Provide that their Duties May be Performed by Certain Officers of the County, and Fixing the Compensation to be Allowed for Such County Officers for the Services so Rendered to Such Municipal Corporation," approved March 27, 1895, and amendments thereto, as the same now exists or may be hereafter amended, and the City does elect to avail itself of the provisions of such act. (Prior code § 30.1)

Chapter 3.08

SALES AND USE TAX

Sections:

- 3.08.010 Short title.**
- 3.08.020 Purpose.**
- 3.08.030 Operative date--Contract with State.**
- 3.08.040 Sales tax imposed.**
- 3.08.050 Out-of-state destination--No fixed place of business.**
- 3.08.060 Part 1 of Division 2 of Revenue and Taxation Code adopted.**
- 3.08.070 Substitution of words.**
- 3.08.080 Seller's permit.**
- 3.08.095 Allowed exclusions from gross receipts for tax measurements.**
- 3.08.100 Use tax imposed.**
- 3.08.110 Part 1 of Division 2 of Revenue and Taxation Code adopted.**
- 3.08.120 Substitution of words.**
- 3.08.135 Exemptions from use tax.**
- 3.08.140 Amendments.**
- 3.08.150 Enjoining collection forbidden.**

Section 3.08.010 Short title.

This chapter shall be known as the "Uniform Local Sales and Use Tax Ordinance" of the City. (Ord. 2517 § 1, 1957)

Section 3.08.020 Purpose.

The City Council hereby declares that this chapter is adopted to achieve the following, among other, purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

A. To adopt sales and use tax regulations which comply with the requirements and limitations contained in Part 1.5 of Division 2 of the Revenue and Taxation Code of the State;

B. To adopt sales and use tax regulations which incorporate provisions identical to those of the Sales and Use Tax Law of the State insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.5 of Division 2 of the Revenue and Taxation Code;

C. To adopt sales and use tax regulations which impose a nine-tenths of one percent tax and provide a measure therefor that can be administered and collected by the State Board of Equalization in a manner that adapts itself as fully as practical to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the State Board of Equalization in administering and collecting the California State sales and use taxes;

D. To adopt sales and use tax regulations which can be administered in a manner that will, to the degree possible consistent with the provisions of Part 1.5 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting City sales and use taxes and at the same time minimize the burden of record keeping upon persons subject to taxation under the provisions of this chapter. (Ord. 3007 § 1, 1961; Ord. 2517 § 2, 1957)

Section 3.08.030 Operative date--Contract with State.

This chapter shall become operative on July 1, 1957, and prior thereto this City shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of these sales and use tax regulations; provided, that if this City shall not have contracted with the State Board of Equalization, as above set forth, prior to July 1, 1957, this chapter shall not be operative until the first day of the first calendar quarter following the execution of such a contract by the City and by the State Board of Equalization, provided further that this chapter shall not become operative prior to the operative date of the Uniform Local Sales and Use Tax ordinance of the County of Riverside. (Ord. 2517 § 3, 1957)

Section 3.08.040 Sales tax imposed.

For the privilege of selling tangible personal property at retail a tax is hereby imposed upon all retailers in the City at the following fractions of one percent of the gross receipts of the retailer from the sale of all tangible personal property sold at retail in the City on and after the operative dates of this section at the rates shown in the following schedule:

| Sales Tax Rate | Operative Date |
|-----------------------|-----------------------|
| .91 of one percent | October 1, 1971 |
| .92 of one percent | July 1, 1972 |
| .93 of one percent | July 1, 1973 |
| .94 of one percent | July 1, 1974 |
| .95 of one percent | July 1, 1975 |
| .96 of one percent | July 1, 1976 |
| .97 of one percent | July 1, 1977 |
| .98 of one percent | July 1, 1978 |
| .99 of one percent | July 1, 1979 |
| 1.00 of one percent | July 1, 1980 |

(Ord. 3852 § 1, 1971; Ord. 2517 § 4 (part), 1957)

Section 3.08.050 Out-of-state destination--No fixed place of business.

For the purposes of this chapter, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the state or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the State Board of Equalization. (Ord. 3007 § 2, 1961; Ord. 2517 § 4 (part), 1957)

Section 3.08.060 Part 1 of Division 2 of Revenue and Taxation Code adopted.

Except as hereinafter provided, and except insofar as they are inconsistent with the provisions of Part 1.5 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 of Division 2 of said Code, as amended and in force and effect on July 1, 1957, applicable to sales taxes are adopted and made a part of this section as though fully set forth herein. (Ord. 2517 § 4 (part), 1957)

Section 3.08.070 Substitution of words.

Wherever, and to the extent that, in Part 1 of Division 2 of the Revenue and Taxation Code the State of California is named or referred to as the taxing agency, the City of Riverside shall be substituted therefor. Nothing in this section shall be deemed to require the substitution of the name of the City of Riverside for the word "State" when that word is used as part of the title of the State Controller, the State Treasurer, the State Board of Control, the State Board of Equalization, or the name of the State Treasury, or of the Constitution of the State of California; nor shall the name of the City be substituted for that of the State in any section when the result of that substitution would require action to be taken by or against the City or any agency thereof, rather than by or against the State Board of Equalization, in performing the functions incident to the administration or operation of this chapter; and neither shall the substitution be deemed to have been made in those sections including, but not necessarily limited to, sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to provide an exemption from this tax with respect to certain gross receipts which would not otherwise be exempt from this tax while those gross receipts remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code; nor to impose this tax with respect to certain gross receipts which would not be subject to tax by the State under the said provisions of that code; and, in addition, the name of the City shall not be substituted for that of the State in Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 and 6828 of the Revenue and Taxation Code as adopted. (Ord. 2517 § 4 (part), 1957)

Section 3.08.080 Seller's permit.

If a seller's permit has been issued to a retailer under Section 6067 of the said Revenue and Taxation Code, an additional seller's permit shall not be required by reason of this section. (Ord. 4062 § 1, 1973; Ord. 2517 § 4 (part), 1957)

Section 3.08.095 Allowed exclusions from gross receipts for tax measurements.

There shall be excluded from the gross receipts by which the tax is measured:

A. The amount of any sales or use tax imposed by the State of California upon a retailer or consumer.

B. The gross receipts from the sale of tangible personal property to operators of aircraft to be used or consumed principally outside the City in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government. (Ord. 6393 §§ 14, 15, 1997; Ord. 5144 § 1, 1983; Ord. 4062 § 2, 1973)

Section 3.08.100 Use tax imposed.

An excise tax is imposed on the storage, use or other consumption in the City of tangible personal property purchased from any retailer at the following fractions of one percent of the sales price of the property on and after the operative dates of this section at the rates shown in the following schedule. The sales price shall include delivery charges when such charges are subject to State sales or use tax regardless of the place to which delivery is made:

Use Tax Rate Operative Date

| | |
|--------------------|-----------------|
| .91 of one percent | October 1, 1971 |
| .92 of one percent | July 1, 1972 |
| .93 of one percent | July 1, 1973 |
| .94 of one percent | July 1, 1974 |

| | |
|---------------------|--------------|
| .95 of one percent | July 1, 1975 |
| .96 of one percent | July 1, 1976 |
| .97 of one percent | July 1, 1977 |
| .98 of one percent | July 1, 1978 |
| .99 of one percent | July 1, 1979 |
| 1.00 of one percent | July 1, 1980 |

(Ord. 3852 § 2, 1971; Ord. 2517 § 5 (part), 1957)

Section 3.08.110 Part 1 of Division 2 of Revenue and Taxation Code adopted.

Except as hereinafter provided, and except insofar as they are inconsistent with the provisions of Part 1.5 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 of Division 2 of said code, as amended and in force and effect on July 1, 1957, applicable to use taxes are hereby adopted and made a part of this section as though fully set forth herein. (Ord. 2517 § 5 (part), 1957)

Section 3.08.120 Substitution of words.

Wherever, and to the extent that, in Part 1 of Division 2 of the Revenue and Taxation Code the State of California is named or referred to as the taxing agency, the name of this City shall be substituted therefor. Nothing in this section shall be deemed to require the substitution of the name of this City for the word "State" when that word is used as part of the title of the State Controller, the State Treasurer, the State Board of Control, the State Board of Equalization, or the name of the State Treasury, or of the Constitution of the State of California; nor shall the name of the City be substituted for that of the State in any section when the result of that substitution would require action to be taken by or against the City or any agency thereof rather than by or against the State Board of Equalization, in performing the functions incident to the administration or operation of this chapter; and neither shall the substitution be deemed to have been made in those sections, including but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to provide an exemption from this tax with respect to certain storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such storage, use or other consumption remains subject to tax by the state under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or to impose this tax with respect to certain storage, use or other consumption of tangible personal property which would not be subject to tax by the State under the said provisions of that code; and in addition, the name of the City shall not be substituted for that of the State in Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 and 6828 of the Revenue and Taxation Code as adopted, and the name of the City shall not be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 nor in the definition of that phrase in Section 6203. (Ord. 3007 § 5, 1961; Ord. 2517 § 5 (part), 1957)

Section 3.08.135 Exemptions from use tax.

There shall be exempt from the tax due under Section 3.08.100:

A. The amount of any sales or use tax imposed by the State of California upon a retailer or consumer.

B. The storage, use or other consumption of tangible personal property, the gross receipts from the sale of which has been subject to sales tax under a sales and use tax ordinance enacted in accordance with Part 1.5 of Division 2 of the Revenue and Taxation Code by any City and County, County, or City in this State.

C. In addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code, the storage, use, or other consumption of tangible personal property

purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. (Ord. 6393 §§ 14, 16, 1997; Ord. 5144 § 2, 1983; Ord. 4062 § 3, 1973)

Section 3.08.140 Amendments.

All amendments of the Revenue and Taxation Code enacted subsequent to the effective date of this chapter which relate to the sales and use tax and which are not inconsistent with Part 1.5 of Division 2 of the Revenue and Taxation Code shall automatically become a part of this chapter. (Ord. 2517 § 6, 1957)

Section 3.08.150 Enjoining collection forbidden.

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or this City, or against any officer of the State or this City, to prevent or enjoin the collection under this chapter, or Part 1.5 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected. (Ord. 2517 § 7, 1957)

Chapter 3.12

DOCUMENTARY STAMP TAX

Sections:

| | |
|-----------------|--------------------------------|
| 3.12.010 | Title. |
| 3.12.020 | Tax imposed. |
| 3.12.030 | Who shall pay tax. |
| 3.12.040 | Exemptions. |
| 3.12.050 | County recorder duties. |
| 3.12.060 | City treasurer duties. |
| 3.12.070 | City Manager duties. |
| 3.12.080 | Refund claims. |
| 3.12.090 | Filing. |
| 3.12.100 | Operative date. |

Section 3.12.010 Title.

This chapter shall be known as the "Real Property Transfer Tax Ordinance of the City of Riverside." It is adopted pursuant to the authority contained in Part 6.7 (commencing with Section 11901) of Division 2 of the Revenue and Taxation Code of the State of California and Sections 200 and 1107 of the Charter of the City of Riverside. (Ord. 6376 § 1, 1997; Ord. 3482 § 1, 1967)

Section 3.12.020 Tax imposed.

There is hereby imposed on each deed, instrument or writing by which any lands, tenements, or other realty sold within the City shall be granted, assigned, transferred or otherwise conveyed to, or vested in, the purchaser or purchasers, or any other person or persons, by his or their direction, when the consideration or value of the interest or property conveyed (exclusive of the value of any lien or encumbrances remaining thereon at the time of sale) exceeds one hundred dollars, a tax at the rate of fifty-five cents for each five hundred dollars or fractional part thereof. (Ord. 6376 § 1, 1997; Ord. 3482 § 2, 1967)

Section 3.12.030 Who shall pay tax.

Any tax imposed pursuant to Section 3.12.020 shall be paid by any person who makes, signs or issues any document or instrument subject to the tax, or for whose use or benefit the same is made, signed or issued. (Ord. 6376 § 1, 1997; Ord. 3482 § 4, 1967)

Section 3.12.040 Exemptions.

Any tax imposed by this chapter shall not apply to any instrument, deed, writing, transfer or document exempted from taxation by Sections 11921 through 11929 of the California Revenue and Taxation Code. (Ord. 6376 § 1, 1997; Ord. 3482 § 4, 1967)

Section 3.12.050 County recorder duties.

The county recorder shall administer this chapter in conformity with the provisions of Part 6.7 of Division 2 of the Revenue and Taxation Code and the provisions of any county ordinance adopted pursuant thereto and Section 1107 of the Charter of the City of Riverside. (Ord. 6376 § 1, 1997; Ord. 3672 § 1, 1970; Ord. 3482 § 5, 1967)

Section 3.12.060 City treasurer duties.

The Treasurer of the City of Riverside in his or her capacity as Tax Collector and/or tax receiver along with the Finance Director are the officers under the direction of the City Manager responsible for maintaining relations with the County of Riverside for the purpose of administering the tax imposed by this ordinance and receiving and accounting for the funds collected thereunder. (Ord. 6376 § 1, 1997; Ord. 3482 § 6, 1967)

Section 3.12.070 City Manager duties.

If the County of Riverside does not collect the tax due under this ordinance, then the City Manager or his or her designated person shall have the power and duty to enforce all provisions of this ordinance. The City tax is due prior to recordation with the County of Riverside of any written instrument subject to this tax, and the City may make an assessment for taxes not paid in the manner provided for such liens or any resolutions of the City of Riverside providing for such assessments and/or any refunds deemed appropriate by the City of Riverside. (Ord. 6376 § 1, 1997; Ord. 3482 § 7, 1967)

Section 3.12.080 Refund claims.

Claims for refund of taxes imposed pursuant to this chapter shall be governed by the provisions of Chapter 5 (commencing with Section 5096) of Part 9 of Division 1 of the Revenue and Taxation Code of the State of California. (Ord. 6376 § 1, 1997; Ord. 3482 § 8, 1967)

Section 3.12.090 Filing.

Upon its adoption, the City Clerk shall file two copies of the ordinance codified in this chapter with the County Recorder. (Ord. 6376 § 1, 1997; Ord. 3482 § 9, 1967)

Section 3.12.100 Operative date.

The tax codified in this chapter became operative on September 1, 1991. (Ord. 6376 § 1, 1997; Ord. 3482 § 10, 1967)

Chapter 3.14

UTILITY USER'S TAX

Sections:

| | |
|-----------------|---|
| 3.14.010 | Short title. |
| 3.14.020 | Definitions. |
| 3.14.030 | Telephone user's tax. |
| 3.14.040 | Electricity user's tax. |
| 3.14.050 | Gas user's tax. |
| 3.14.060 | Water user's tax. |
| 3.14.065 | Cable television user's tax. |
| 3.14.070 | Exemptions. |
| 3.14.080 | Collection of tax. |
| 3.14.090 | Reporting and remitting. |
| 3.14.100 | Penalty. |
| 3.14.110 | Actions to collect. |
| 3.14.120 | Failure to pay tax--Administrative remedy. |
| 3.14.130 | Civil debt. |
| 3.14.140 | Records. |
| 3.14.150 | Refunds--Overpaid or collected in error. |
| 3.14.160 | Refunds--Low income. |
| 3.14.165 | Refunds--Agua Mansa enterprise zone. |
| 3.14.166 | Refunds--Local enterprise zones. |
| 3.14.170 | Imposition of taxes. |
| 3.14.180 | Separability. |

Section 3.14.010 Short title.

The ordinance codified in this chapter shall be known and cited as the "Utility User's Tax Ordinance." (Ord. 3720 § 18, 1970)

Section 3.14.020 Definitions.

Except where the context requires otherwise, the definitions given in this section govern the construction of this chapter.

"Individual service" means the service of a particular utility which is provided to one service user on one premises, whether provided through multiple metering devices or not.

"Month" means a calendar month.

"Person" means any domestic or foreign corporation, firm, association, syndicate, joint stock company, partnership of any kind, joint venture, club, Massachusetts business or common-law trust, society, individual or municipal corporation.

"Service supplier" means a person required to collect and remit a tax imposed by this chapter.

"Service user" means a person required to pay a tax imposed by this Chapter.

"Tax Administrator" means the Finance Director of the City.

"Telephone corporation," "electrical corporation," "gas corporation," "water corporation" and "cable television corporation" shall have the same meanings as defined in Sections 234, 218, 222, 241 and 215.5, respectively, of the Public Utilities Code of the State, as said sections existed on January 1, 1970. "Electrical corporation" and "water corporation" include any

municipality or franchised agency engaged in the selling or supplying of electrical power or water to a service user.

"Consumer Price Index" means the Consumer Price Index for Urban Wage Earners and Clerical Workers for the Los Angeles-Long Beach Standard Metropolitan Statistical Area published by the Bureau of Labor Statistics of the Department of Labor. (Ord. 5049 § 1, 1982; Ord. 4274 § 1, 1976; Ord. 3940 § 1, 1972; Ord. 3720 § 1, 1970)

Section 3.14.030 Telephone user's tax.

A. There is imposed a tax upon every person, other than a telephone corporation, using intrastate telephone communication services in the City. The tax imposed by this section shall be at the rate of six and one-half percent of all charges made for such services and shall be paid by the person paying for such services. The maximum annual telephone user's tax payable by manufacturing and wholesaling businesses taxed in accordance with the business tax rates established by Section 5.04.300(A)(2) of this code for an individual service shall be fifteen thousand dollars for the fiscal year July 1, 1990, to June 30, 1991, and for the following fiscal years there shall be no such maximum tax limit, and all telephone use shall be subject to the tax.

B. As used in this section, "charges" shall not include charges for services paid for by inserting coins in coin-operated telephones, except that where such coin-operated telephone service is furnished for a guaranteed amount, the amounts paid under such guarantee plus any fixed monthly or other periodic charge shall be included in the base for computing the amount of tax due; nor shall "telephone communication services" include telephone channel facilities used by a cable television corporation in supplying cable television service to its customers, nor land mobile services or maritime mobile services as defined in Section 2.1 of Title 47 of the Code of Federal Regulations, as such section existed on January 1, 1969.

C. Notwithstanding the provisions of Subsection A of this section, the tax imposed under this section shall not be imposed upon any person for using intrastate telephone communication services to the extent that the amounts paid for such services are exempt from or not subject to the tax imposed by Section 4251 of Title 26 of the United States Code, as such section existed on January 1, 1969, without regard to subsection (b) thereof. (Ord. 5853 § 1, 1990; Ord. 5745 § 1, 1989; Ord. 5049 § 2, 1982; Ord. 4923 § 1, 1981; Ord. 3720 § 2, 1970)

Section 3.14.040 Electricity user's tax.

A. There is imposed a tax upon every person using electrical energy in the City. The tax imposed by this section shall be at the rate of six and one-half percent of the charges made for such energy and shall be paid by the person paying for such energy. "Charges" as used in this section includes charges made for (1) metered energy; and (2) minimum charges for service, including customer charges, service charges, demand charges, standby charges, and annual and monthly charges, but excluding any and all surcharges. The maximum annual electricity user's tax payable by manufacturing and wholesaling businesses taxed in accordance with the business tax rates established by Section 5.04.300(A)(2) of this code for an individual service shall be fifty thousand dollars for the fiscal year July 1, 1990, to June 30, 1991, and for the following fiscal years there shall be no such maximum tax limit, and all electricity use shall be subject to the tax.

B. As used in this section, "using electrical energy" shall not mean the storage of such energy by a person in a battery owned or possessed by him for use in an automobile or other machinery or device apart from the premises upon which the energy was received; provided, however, that the term shall include the receiving of such energy for the purpose of using it in the charging of batteries. The term shall not include electricity used in water pumping by water corporations, nor shall the term include the mere receiving of such energy by an electrical

corporation at a point within the City for resale.

C. There shall be excluded from the base on which the tax imposed in this section is computed, charges made by a municipal light or power department, or electric public utility for electrical energy used and consumed by such department or utility in the conduct of the business of such department or utility. In addition, there shall be excluded from the base on which the tax imposed by this section is computed, the charge for the electricity provided by a municipal light or power department or electric public utility in lieu of the electricity which had previously been self-produced by the user and for which an agreement has been entered into by and between the City and such user to provide for the exemption from the electricity user's tax of the agreed upon level of electrical energy for the term of said agreement.

D. Notwithstanding any other provisions of this chapter, the tax imposed pursuant to this section may be reduced in accordance with the schedule as hereinafter set forth for certain industrial users as may be designated from time to time by resolution of the City Council upon a finding by the City Council that reductions in certain fees, charges or taxes are necessary to retain a major industrial development with no less than five hundred permanent employees within the City and that such retention is in the City's economic best interests or that such industrial user has entered into a contractual arrangement with the City's Public Utilities Department for 69kV electrical service when electric service was not previously provided to such facility. Following the adoption of a resolution of the City Council designating an industrial user as herein provided and establishing the date of commencement of the reduction in the electricity user's tax, the tax shall be payable at the following rates: one-fifth of the then-current rate as set forth in Subsection A of this section during the first year of such reduction commencing on the date designated in the resolution; at two-fifths of the then-current rate as set forth in subsection A during the second year; at three-fifths of the then-current rate as set forth in Subsection A during the third year; and at four-fifths of the then-current rate as set forth in Subsection A during the fourth year. During the fifth year following the date of commencement of the reduction as set forth in the resolution and for each subsequent year thereafter, the tax shall be paid at the then-current rate as set forth in Subsection A of this section. (Ord. 6250 § 1, 1995; Ord. 6249 § 1, 1995; Ord. 5853 § 2, 1990; Ord. 5745 § 2, 1989; Ord. 5049 § 3, 1982; Ord. 5022 § 1, 1982; Ord. 4923 § 2, 1981; Ord. 4424 § 1, 1977; Ord. 3720 § 3, 1970)

Section 3.14.050 Gas user's tax.

A. There is imposed a tax upon every person in the City, other than a gas corporation or electrical corporation using gas in the City which is delivered through mains or pipes. The tax imposed by this section shall be at the rate of six and one-half percent of the charges made for such gas, including minimum charges for service, and shall be paid by the person paying for such gas. The maximum annual gas user's tax payable by manufacturing and wholesaling businesses taxed in accordance with the business tax rates established by Section 5.04.300(A)(2) of this code for an individual service shall be fifteen thousand dollars for the fiscal year July 1, 1990, to June 30, 1991, and for the following fiscal years there shall be no such maximum tax limit, and all gas use shall be subject to the tax.

B. There shall be excluded from the base on which the tax imposed in this section is computed:

1. Charges made for gas which is to be resold and delivered through mains or pipes;
2. Charges made for gas used in the generation of electrical energy by an electrical corporation;
3. Charges made by a gas public utility for gas used and consumed in the conduct of the business of gas public utilities;
4. Charges for gas used in water pumping activities; and
5. Charges for gas used in propelling motor vehicles. (Ord. 5853 § 3, 1990; Ord. 5745 §

3, 1989; Ord. 5049 § 5, 1982; Ord. 4923 § 3, 1981; Ord. 3720 § 4, 1970)

Section 3.14.060 Water user's tax.

A. There is imposed a tax upon every person using in the City water which is delivered through mains or pipes. The tax imposed by this section shall be at the rate of six and one-half percent of the charges made for such water and shall be paid by the person paying for such water. "Charges" as used in this section includes charges made for (1) metered water; and (2) minimum charges for services, including customer charges, service charges, standby charges and annual or monthly charges. The maximum annual water user's tax payable by manufacturing and wholesaling businesses taxed in accordance with the business tax rates established by Section 5.04.300(A)(2) of this code for an individual service shall be fifteen thousand dollars for the fiscal year July 1, 1990, to June 30, 1991, and for the following fiscal years there shall be no such maximum tax limit, and all water use shall be subject to the tax.

B. There shall be excluded from the base on which the tax imposed in this section is computed:

1. Charges made for water which is to be resold and delivered through mains or pipes;
2. Charges made by a municipal water department, water public utility or a County or municipal water district for water used and consumed by such department, utility or district in the conduct of the business of such department, utility or district; and
3. Charges made for water used in the generation of electrical energy by an electrical corporation. (Ord. 5853 § 4, 1990; Ord. 5745 § 4, 1989; Ord. 5049 § 6, 1982; Ord. 4923 § 4, 1981; Ord. 3720 § 5, 1970)

Section 3.14.065 Cable television user's tax.

There is imposed a tax upon every person in the City using cable television service. The tax imposed by this section shall be at the rate of six and one-half percent of the charges made for such services and shall be paid by the person paying for such service. The maximum annual cable television user's tax payable by manufacturing and wholesaling businesses taxed in accordance with the business tax rates established by Section 5.04.300(A)(2) of this code for an individual service shall be fifteen thousand dollars for the fiscal year July 1, 1990, to June 30, 1991, and for the following fiscal years there shall be no such maximum tax limit, and all cable television use shall be subject to the tax. (Ord. 5853 § 5, 1990; Ord. 5745 § 5, 1989; Ord. 5049 § 7, 1982; Ord. 4923 § 5, 1981; Ord. 3940 § 3, 1972)

Section 3.14.070 Exemptions.

Nothing in this chapter shall be construed as imposing a tax upon any person if imposition of such tax upon that person would be in violation of the Constitution of the United States or the Constitution of the State.

There shall also be exempt from the provisions of the tax imposed by this chapter the following:

- A. Nonprofit major hospitals which shall be interpreted to mean nonprofit "general acute care hospitals," as the term is defined by Section 1250 of the Health and Safety Code of the State;
- B. State accredited institutions of higher learning;
- C. Municipally owned facilities operated by the City or leased by the City to a nonprofit corporation;
- D. Nonprofit senior citizens housing projects. (Ord. 4923 § 6, 1981; Ord. 3720 § 6, 1970)

Section 3.14.080 Collection of tax.

A. Every person receiving payment of charges from a service user shall collect the amount of tax imposed by this chapter from the service user.

B. The tax shall be collected insofar as practicable at the same time as, and along with the collection of charges made in accordance with the regular billing practice of the service supplier. If the amount paid by a service user is less than the full amount of the charge and the tax which has accrued for the billing period, a proportionate share of both the charge and the tax shall be deemed to have been paid.

C. The duty to collect tax from a service user shall commence with the beginning of the first regular billing period applicable to that person which starts on or after the operative date of the ordinance codified herein. Where a person receives more than one billing, one or more being for different periods than another, the duty to collect shall arise separately for each billing period.

D. A service supplier shall collect taxes imposed by this chapter on all taxable charges without regard for the maximum annual tax and the refund provisions set forth elsewhere in this chapter; however, a service user may apply for refund of taxes under the provisions of Sections 3.14.150 and 3.14.160. (Ord. 3720 § 7, 1970)

Section 3.14.090 Reporting and remitting.

Each service supplier shall, on or before the twentieth of each month make a return to the tax administrator, on forms provided by him, stating the amount of taxes billed by the service supplier during the preceding month. At the time the return is filed, the full amount of tax collected shall be remitted to the tax administrator. The tax administrator is authorized to require such further information as he deems necessary to properly determine if the tax here imposed is being levied and collected in accordance with this chapter. Returns and remittances are due immediately upon cessation of business for any reason.

Where the remittance of taxes collected under this chapter is based upon the estimated percentage of the total amount billed, less uncollectibles and delinquents, the service supplier may submit a payment plan to the tax administrator for his approval. If the tax administrator determines after examining the plan that it is reasonably based on prior system-wide bill collection experience he shall approve the plan. If there is indication to the tax administrator that the payments made are less than ninety-five percent of the actual taxes due, he is authorized to investigate and determine whether the service supplier shall submit a new plan. (Ord. 3720 § 8, 1970)

Section 3.14.100 Penalty.

A. Taxes collected from a service user which are not remitted to the tax administrator on or before the due dates provided in this chapter are delinquent.

B. Penalties for delinquency in remittance of any tax collected or any deficiency determination, shall attach and be paid by the person required to collect and remit at the rate of fifteen percent of the total tax collected or imposed herein.

C. The tax administrator shall have power to impose additional penalties upon persons required to collect and remit taxes under the provisions of this chapter for fraud or negligence in reporting or remitting at the rate of fifteen percent of the amount of the tax collected or as recomputed by the tax administrator.

D. Every penalty imposed under the provisions of this section shall become a part of the tax required to be remitted. (Ord. 3720 § 9, 1970)

Section 3.14.110 Actions to collect.

Any tax required to be paid by a service user under the provisions of this chapter shall

be deemed a debt owed by the service user to the City. Any such tax collected from a service user which has not been remitted to the tax administrator shall be deemed a debt owed to the City by the person required to collect and remit. A service supplier is not liable to the City until the tax is collected from a service user. Any person owing money to the City under the provisions of this chapter shall be liable to an action brought in the name of the City for the recovery of such amount. (Ord. 3720 § 10, 1970)

Section 3.14.120 Failure to pay tax--Administrative remedy.

Whenever the tax administrator determines that a service user has deliberately withheld the amount of the tax owed by him from the amounts remitted to a service supplier, or that a service user has failed to pay the amount of the tax for a period of two or more billing periods, or whenever the tax administrator deems it in the best interest of the City, he shall relieve the service supplier of the obligation to collect taxes due under this chapter from said service users for specified billing periods. The tax administrator shall notify the service user that he has assumed responsibility to collect the taxes due for the stated periods and demand payment of such taxes. The notice shall be served on the service user by handing it to him personally or by deposit of the notice in the United States mail, postage prepaid thereon, addressed to the service user at the address to which billing was made by the service supplier; or should the service user have changed his address, to his last known address. If a service user fails to remit the tax to the tax administrator within fifteen days from the date of service of notice upon him, which shall be the date of mailing if service is not accomplished in person, a penalty of twenty-five percent of the amount of the tax set forth in the notice shall be imposed, but not less than five dollars. The penalty shall become part of the tax herein required to be paid. (Ord. 3720 § 11, 1970)

Section 3.14.130 Civil debt.

The taxes imposed by this chapter shall be civil debts owing to the City from the service user. (Ord. 3720 § 12, 1970)

Section 3.14.140 Records.

It shall be the duty of every person required to collect and remit to the City any tax imposed by this chapter to keep and preserve, for a period of three years, all records as may be necessary to determine the amount of such tax as he may have been liable for the collection of and remittance to the tax administrator, which records the tax administrator shall have the right to inspect at all reasonable times. (Ord. 3720 § 13, 1970)

Section 3.14.150 Refunds--Overpaid or collected in error.

A. Whenever the amount of any tax has been overpaid or paid more than once or has been erroneously or illegally collected or received by the tax administrator under this chapter, it may be refunded as provided in this section.

B. A person required to collect and remit taxes imposed under this chapter may claim a refund or take as credit against taxes collected and remitted the amount overpaid, paid more than once or erroneously or illegally collected or received when it is established in a manner prescribed by the tax administrator that the service user from whom the tax has been collected did not owe the tax; provided, however, that neither a refund nor a credit shall be allowed unless the amount of the tax so collected has either been refunded to the service user or credited to charges subsequently payable by the service user to the person required to collect and remit.

C. No refund shall be paid under the provisions of this section unless the claimant established his right thereto by written records showing entitlement thereto.

D. If the amount of any tax paid is in excess of the maximum amount payable as provided in Sections 3.14.030 through 3.14.060, the tax administrator shall refund the amount overpaid to the service user within sixty days after the service user has established his entitlement to such refund, provided that no refunds under this subsection need be made more frequently than quarter-annually. (Ord. 3720 § 14, 1970)

Section 3.14.160 Refunds--Low income.

A. A refund of not to exceed thirty-five dollars of all taxes due and paid under the provisions of this chapter for utility services rendered on and after July 1, 1988, through March 31, 1989, or for succeeding twelve-month periods of April 1 through March 31, shall be made whenever all of the following occur:

1. The annual gross income of the household in which claimant lives is less than twelve thousand dollars for the claimant's last preceding federal or state personal income tax reporting period;

2. Claimant makes an application and files a verified claim in writing at the Department of Finance at City Hall for such refund upon a claim form provided by the tax administrator;

3. The claim is approved by the tax administrator as being in conformance with this subsection. Only one member of each household may file a claim, and only one claim may be filed for each individual household.

B. The claimant shall be the person in whose name the bills for utilities services were rendered. Income of the household means all income of the claimant's household while members of such household and related to the claimant as a spouse or as defined in Sections 17056 and 17057 of the Revenue and Taxation Code of California.

C. "Gross income" means the sum of adjusted gross income as used for purposes of the California Personal Income Tax Law, together with the net income from all sources of all kinds, including but not limited to alimony, support money, cash public assistance and relief, pensions, annuities, social security, interest on securities (including tax-free interest on governmental securities), realized capital gains, workmen's compensation (not including medical benefits), unemployment insurance income, insurance benefits of all kinds (other than medical), and gifts, except that income shall not include medicare benefits, medicaid benefits, gifts of food and gifts between members of the household, the receipt of surplus food or other relief in kind supplied by a governmental agency.

D. The claim for such refund for the preceding period ending on March 31 shall be made only during the filing period of April 1 through June 30 of each year. Claims for utility user's tax refunds must be accompanied by a copy of the utility bills and the street light assessment refund with copies of the property tax bills due December 10 and April 10, together with proof that the bills have been paid by the claimant or some member of the household. No such refund shall be made on any claim filed or postmarked later than the thirtieth day of June. In cases of severe financial hardship, earlier claims for refunds may be filed after full payment of the street light assessment.

E. No refund shall be made to any person for taxes levied on a utility account for which any utility tax is due and outstanding for the period for which refund is claimed or for any prior period. No refund shall be made of any tax which was paid with public assistance or relief funds which included an allowance to pay the tax.

F. Nothing in this section shall be construed to require that any utility company has any obligation to make or furnish, for the purpose of the refund provisions hereof, proof of utility taxes due or utility taxes paid.

Any person qualifying for a low income utility user's tax refund under this section may when applying for such refund make application and receive a one hundred percent refund for any assessment paid by this person under the City-wide 1972 Landscape and Street Light

Assessment District established in 1988 by the City of Riverside. (Ord. 5706 § 1, 1989; Ord. 4923 § 7, 1981; Ord. 4114 § 1, 1974; Ord. 3720 § 15, 1970)

Section 3.14.165 Refunds--Agua Mansa enterprise zone.

A. A refund in accordance with the following schedule of utility user's taxes due and paid under the provisions of this chapter for utility services rendered on or after the operative date of this section shall be made as hereinafter provided to those new industrial or commercial developments located within that portion of the Agua Mansa enterprise zone lying within the corporate limits of the City of Riverside, excluding retail firms, and to those existing industrial or commercial developments located within that portion of the Agua Mansa enterprise zone lying within the corporate limits of the City of Riverside, excluding retail firms, which have expanded after the operative date of this section and which expansion results in an increase of ten percent in the number of permanent jobs for that business at that location subject to a minimum increase of five additional jobs. The schedule of refunds for each qualifying business is as follows: A refund of seventy-five percent in the first year following the opening of a new business or the expansion of an existing business; a refund of fifty percent in the second year; and a refund of twenty-five percent in the third year. No refunds shall be given in the fourth or any following year.

B. To claim a refund, the claimant must submit a verified claim in writing to the Department of Finance at City Hall upon a form provided by the tax administrator and with such supporting documentation as may be required by the tax administrator to establish the amount of utility user's taxes paid by the claimant for the period claimed, and the commencement date of the "first year" as that term is used herein. A claim for refund shall be submitted annually not later than three months after the close of the year for which such refund is sought. The verified claim must be signed by an authorized officer of the claimant. The claim will be paid in accordance with the City's usual accounting procedures following the approval of the claim by the tax administrator as being in conformance with the provisions of this section.

C. "First year" as used in this section shall mean for a new industrial or commercial development the twelve-month period immediately following the date of commencement of business at the location for which a claim for refund is filed; and for the expansion of an existing business, the twelve-month period immediately following the date the required number of additional employees report to work at the location for which a claim is filed.

D. "Retail firms" as used in this section shall mean those firms or businesses which derive fifty percent or more of its gross receipts from direct and final sales of goods or services to the public.

E. The boundaries of that portion of the Agua Mansa enterprise zone lying within the corporate limits of the City are described as follows:

Beginning at the City limit at the intersection of Market Street and the Santa Ana River, southerly along Market Street to the centerline of Highway 60, thence southwesterly along the centerline of Highway 60 to Spruce Street, thence easterly along Spruce Street to the Southern Pacific Railroad track, thence northerly along the Southern Pacific Railroad track, to the Riverside City limit, thence westerly following the Riverside City limits to Market Street. (Ord. 5427 § 1, 1986)

Section 3.14.166 Refunds--Local enterprise zones.

A. A refund in accordance with the following schedule of utility user's taxes due and paid under the provisions of this chapter for utility services rendered on or after the establishment of a local enterprise zone by resolution of the City Council for the area encompassing said user shall be made as hereinafter provided to those new industrial or commercial developments located within said local enterprise zone, excluding retail firms, creating at least five new

permanent jobs and to those existing industrial or commercial developments located within said local enterprise zone, excluding retail firms, which have expanded after the designation of said local enterprise zone which expansion results in an increase of ten percent in the number of permanent jobs for that business at that location subject to a minimum increase of five additional jobs; provided, however, that those businesses seeking to qualify for the reduction will be required to add value to the existing assessed valuation of the subject property by investing at least five hundred thousand dollars over a five-year period in new construction and/or tenant improvements; and further provided that the refunds for those existing industrial or commercial developments which are expanding shall be limited to that portion of the utility user's tax attributable to such expansion and not to the existing development.

The schedule of refunds for each qualifying business is as follows: a refund of seventy-five percent in the first year following the opening of a new business or the expansion of an existing business; a refund of fifty percent in the second year; and a refund of twenty-five percent in the third year. No refunds shall be given in the fourth or any following year.

B. To claim a refund, the claimant must submit a verified claim in writing to the Finance Department at City Hall upon a form provided by the tax administrator and with such supporting documentation as may be required by the tax administrator to establish the amount of utility user's taxes paid by the claimant for the period claimed, and the commencement date of the "first year" as that term is used herein. A claim for a refund shall be submitted annually not later than three months after the close of the year for which such refund is sought. The verified claim must be signed by an authorized officer of the claimant. The claim will be paid in accordance with the City's usual accounting procedures following the approval of the claim by the tax administrator as being in conformance with the provisions of this section.

C. "First year" as used in this section shall mean for a new industrial or commercial development, the twelve-month period immediately following the date of commencement of business at the location for which a claim for refund is filed; and for the expansion of an existing business, the twelve-month period immediately following the date the required number of additional employees report to work at the location for which a claim is filed.

D. "Retail firm" as used in this section shall mean a firm or business which derives fifty percent or more of its gross receipts from direct and final sales of goods or services to the general public.

E. "Local enterprise zone" shall mean those economically depressed areas of the City so designated as a local enterprise zone from time to time by resolution of the City Council, the boundaries of which are specifically described in said resolution. (Ord. 6168 § 1, 1994)

Section 3.14.170 Imposition of taxes.

The taxes imposed by this chapter shall become imposed as follows:

A. With respect to electricity user's tax as of July 1, 1989, or at the beginning of the first regular billing period thereafter which would not include service prior to July 1, 1989;

B. With respect to water users receiving water from a municipally owned water utility the water user's tax as of July 1, 1989, or at the beginning of the first regular billing period thereafter which would not include water used prior to July 1, 1989;

C. With respect to water user's tax for users receiving water from a non-municipally owned water company, as of July 1, 1989, provided that the tax shall be collected beginning with the first regular billing period on or after August 1, 1989, which billing does not include water used prior to July 1, 1989;

D. With respect to gas user's tax as of August 1, 1989, or at the beginning of the first regular billing period thereafter which would not include service prior to August 1, 1989;

E. With respect to telephone user's tax, said tax shall be imposed as of August 1, 1989, or as soon as practical thereafter which would not include service prior to August 1, 1989;

F. With respect to cable user's tax as of August 1, 1989, or at the beginning of the first regular billing period thereafter which would not include service prior to August 1, 1989. (Ord. 5745 § 6, 1989; Ord. 3720 § 17, 1970)

Section 3.14.180 Separability.

If any section, subsection, sentence, clause, phrase or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof. (Ord. 3720 § 16, 1970)

Chapter 3.16

CENTRALIZED PURCHASING SYSTEM

Sections:

- 3.16.010 System adopted.**
- 3.16.020 Powers and duties of purchasing agent.**
- 3.16.030 Appointment of standardization committee.**
- 3.16.040 Functions of standardization committee.**
- 3.16.050 Promulgation of rules and regulations.**
- 3.16.060 Annual report.**
- 3.16.070 Department of Public Utilities excepted from operation of chapter.**

Section 3.16.010 System adopted.

In order to establish and effectuate a uniform procedure for the handling of purchasing matters; to obtain the most suitable services and commodities at the lowest price; and to promote the best possible means of exercising financial control over expenditures, the following centralized purchasing system is hereby adopted. (Prior code § 2.56)

Section 3.16.020 Powers and duties of purchasing agent.

The purchasing agent, in accordance with pertinent rules and regulations prepared by the City Manager and adopted by the City Council and subject to the limitations imposed by the charter of the City, and by this chapter shall have the power and it shall be his duty to:

A. Purchase or contract for all supplies, materials, equipment and contractual services needed by any and all departments, institutions, boards, commissions and other agencies which derive their support wholly or in part from City funds and which are hereinafter referred to as using agencies;

B. Sell all supplies, materials and equipment not needed for public use or that may have been unsuitable for such use;

C. Transfer between using agencies any supplies, materials and equipment not needed by one such agency but necessary to the operation of another or others;

D. Inspect or supervise the inspection of all deliveries of supplies, materials and equipment to storerooms and warehouses or to using agencies, and determine the quantity, quality and conformance thereof with specifications;

E. Implement all determinations or decisions of the standardization committee after the approval thereof by the City Manager. (Prior code § 2.57)

Section 3.16.030 Appointment of standardization committee.

The City Manager is hereby authorized to appoint a standardization committee comprising such representatives from the using agencies as in his judgment will best attain the purposes of that committee as hereinafter stated. The members of that committee shall serve in a purely advisory capacity and shall serve without additional compensation. (Prior code § 2.58)

Section 3.16.040 Functions of standardization committee.

At the request of the City Manager, it shall be the function of the standardization committee to assist and advise the City Manager in such matters pertaining to:

A. The classification of supplies, materials and equipment used by various agencies of

the City government;

B. The adoption as standards of the minimum number of qualities, sizes and varieties of commodities consistent with efficient operation of the City government;

C. The preparation and promulgation of written specifications describing such standards;

D. The examination, alteration, simplification or standardization or standardization prior to the printing or duplicating thereof, of all forms used in the City government;

E. The study of existing or proposed rules and regulations and of all proposed revisions or rescissions thereof;

F. The simplification and coordination of purchasing procedure within and between the several using agencies of the City government. (Prior code § 2.59)

Section 3.16.050 Promulgation of rules and regulations.

The City Manager shall formulate, and from time to time amend, any or all rules and regulations necessary to the operation of this chapter. Such rules and regulations and amendments thereto shall be recommended to the City Council for adoption by it. (Prior code § 2.60)

Section 3.16.060 Annual report.

The purchasing agent, through the Office of the Controller, shall submit, at the time prescribed by the City Manager, an annual report on the work of his organizational division, which report may from time to time suggest changes in this chapter which he deems necessary. (Prior code § 2.61)

Section 3.16.070 Department of Public Utilities excepted from operation of chapter.

The Department of Public Utilities shall be excepted from the provisions of this chapter insofar as the purchase of materials, supplies, equipment or contractual services are peculiar to the needs of that department; provided, however, that in accordance with the purposes of this chapter, cooperative purchasing arrangement may be consummated at any time between that department and the Purchasing Division established by this chapter. (Prior code § 2.62)

Chapter 3.18

EQUAL EMPLOYMENT OPPORTUNITIES FOR PUBLIC WORKS CONTRACTS

Sections:

- 3.18.010** **Mandatory provisions pertaining to nondiscrimination in employment and affirmative action in hiring employees in the performance of work on City public works contracts--Ineligibility of award to contractors not complying with this section.**
- 3.18.020** **Administrative rules and regulations.**
- 3.18.030** **Severability.**

Section 3.18.010 Mandatory provisions pertaining to nondiscrimination in employment and affirmative action in hiring employees in the performance of work on City public works contracts--Ineligibility of award to contractors not complying with this section.

Every City public works contract ("public works contract" includes "public utilities contracts" for the purposes of this section) involving an expenditure in excess of twenty-five thousand dollars, except in cases of urgent necessity for the preservation of life, health or property as provided by Section 1109 of the Charter of the City, shall contain an affirmative action plan substantially as follows and which by the contractor's signature affixed thereto, shall constitute and be established as his affirmative action plan. No contractor or subcontractor will be eligible for an award of a City public works contract in excess of twenty-five thousand dollars, unless such contractor or subcontractor has submitted an affirmative action plan. The affirmative action plan shall be substantially as follows:

A. Public Works Contracts Included. To be eligible for an award of a City public works contract in excess of twenty-five thousand dollars, every contractor and subcontractor must submit a written affirmative action plan embodying both: (1) Goals and timetables of minority manpower utilization; and (2) Specific affirmative action steps directed at increasing minority manpower utilization by means of applying good faith efforts to carry out such steps or is deemed to have submitted such a program pursuant to subsection (C) of this section. ("Minority" is defined as a person of the following ethnic groups: Spanish surnamed American, American Negro (Black), Oriental/Asian American and American Indian.) Both the goals and timetables and the affirmative action steps must be taken in good faith to attempt to meet the requirements of this section and as set forth below for all positions which are to be utilized on the project, whether subcontracted or not.

B. Goals and Timetables. The plan must set forth as minimum ranges of goals for minority manpower utilization by the bidder and all contractors and subcontractors on each project constructed by the City in each work class and at all levels in terms of man-hours:

| | |
|---------------------------|-----------|
| Until 6/30/73 | 5% - 8% |
| From 7/1/73 until 6/30/74 | 8% - 11% |
| From 7/1/74 until 6/30/75 | 11% - 14% |
| From 7/1/75 until 6/30/76 | 14% - 17% |
| From 7/1/76 until 6/30/77 | 17% - 20% |

It is in no way intended that the goals as set forth above are to be construed as quotas; rather, they will be used as a means of measuring the progress of the affirmative action plan.

In the event that under a contract which is subject to these bid conditions any work is performed in a year later than the latest year for which acceptable ranges of minority manpower utilization have been determined herein, the ranges for 1976 -- 1977 shall be applicable to such work. In no event may a contractor or subcontractor utilize the goals, timetables or affirmative action steps required by this subsection in such a manner as to cause or result in discrimination against any person on account of race, color, religion, sex or national origin.

C. An Affirmative Action Plan. The contractor certifies and agrees that he shall immediately make a good faith effort to include within his employ the minorities in numbers proportionate with the minority composition of the population of the City as set forth hereinabove, including but not limited to the following affirmative actions:

1. He shall recruit and make efforts to obtain minorities through:
 - a. Advertising employment opportunities in minority community news media,
 - b. Notifying minority community organizations of employment opportunities,
 - c. Maintaining contact with schools with minority students to notify them of employment opportunities,
 - d. Encouraging present minority employees to refer their friends and relatives,
 - e. Promoting after school and vacation employment opportunities for minority youth,
 - f. Maintaining a file of the names and addresses of each minority worker referred to him and what action he took concerning such worker,
 - g. Notifying the affirmative action officer of the City in writing within five working days when a union with whom he has a collective bargaining agreement has failed to refer minority workers to him;
2. He shall continually evaluate personnel practices to assure that hiring, upgrading, promotions, transfer, demotions and layoffs are made to achieve and maintain an ethnically balanced work force;
3. He shall utilize training programs and assist minority employees in locating, qualifying for and engaging in such training programs to enhance their skills and advancement;
4. He shall secure cooperation or compliance from the labor referral agency to his contractual affirmative action obligations;
5. He shall establish a person at the management level of the contracting entity to be his equal employment opportunity officer, such individual to have the authority to disseminate and enforce the company's equal employment and affirmative action policies;
6. He shall maintain such records as are necessary to determine compliance with equal employment and affirmative action obligations, and make such records available to City, state and federal authorities upon request.

D. The contractor shall make a good faith effort to contract with the minority contractors, subcontractors and vendors for services and supplies by taking affirmative actions which include but are not limited to the following:

1. He shall advertise invitations for subcontractor bids in minority community news media;
2. He shall contact minority contractor organizations for referral of prospective subcontractors;
3. He shall contact any other source likely to yield qualified minority contractors and vendors;
4. He shall purchase supplies from qualified minority vendors where practical.

E. The contractor and each subcontractor shall make a good faith effort with respect to apprenticeship and training programs to:

1. Recruit and refer minority employees to such programs;
2. Establish training programs within his company and/or his association that will prepare minority employees for advancement opportunities;
3. Abide by the requirements of the Labor Code of the State with respect to the

provision of apprenticeship job opportunities.

F. The contractor and each subcontractor shall establish written company policies, rules and procedures which shall be encompassed in a company-wide affirmative action plan for all his operations and contracts. The policies shall be provided to all his employees, subcontractors, vendors, unions and all others with whom he may become involved in fulfilling any of his contracts. The company's affirmative action plan shall encompass the requirements contained herein as a minimum, and shall be submitted to the Purchasing Division.

G. Where problems are experienced by the contractor or the subcontractor in complying with his affirmative action obligations, the contractor or subcontractor shall document his good faith effort to comply with the requirements and notify the City's affirmative action officer immediately. The affirmative action officer shall report to the City Manager and make this information available to the community relations commission. The information provided by the contractor or subcontractor shall include the following:

1. He shall state what he attempted to do, how and on what date;
2. He shall state to whom his efforts were directed;
3. He shall state the response received and date;
4. He shall state what other steps he has taken or will take to comply and when;
5. He shall state why he has been or will be unable to comply.

H. The contractor and each of his known subcontractors shall complete and file an acceptable affirmative action plan.

I. The contractor and each of his subcontractors shall submit an ethnic composition of the company's total work force (by employees).

J. No contract or subcontract shall be executed until the appropriate awarding authority of the City, and the federal funding agency (if federal funds are involved), has determined that such contractor or subcontractor has executed and filed with the City his affirmative action plan.

K. It shall be no excuse that the union with which the contractor or the subcontractor has a collective bargaining agreement providing for referral, exclusive or otherwise, failed to refer minority employees.

L. Subject to this subsection the contractor and subcontractor shall submit manpower utilization reports as required by the City, to be specified in the notice inviting bids.

M. Where the contractor or his subcontractor has failed to comply with the affirmative action requirements contained in this section, any and all sanctions allowed by law may be imposed upon the contractor or any subcontractor.

N. Where the contractor or his subcontractor has failed to comply with the affirmative action requirements contained in this section, the City Manager shall notify the contractor or his subcontractor that the contractor or subcontractor shall not be eligible to bid on any future City public works contracts unless and until the contractor or subcontractor can show cause to the City Manager that he can comply with the affirmative action requirements contained in this section. Any contractor or subcontractor aggrieved by a determination by the City Manager may, within ten days after the date of mailing of the notice of noneligibility to the contractor by the City Manager, appeal to the City Manager for a reconsideration by the City Manager of his determination. Any contractor or subcontractor who so appeals and remains unsatisfied with the City Manager's determination may, within five days after the decision is made by the City Manager, appeal to the City Council for a modification or reversal of the City Manager's determination. The City Council may affirm, reverse or modify the decision of the City Manager and its decision shall be final. (Ord. 6393 §§ 17, 18, 1997; Ord. 4727 § 1, 1979; Ord. 4089 §§ 1, 2, 1974; Ord. 3978 § 1 (part), 1972)

Section 3.18.020 Administrative rules and regulations.

The City Manager may establish administrative rules and regulations to implement

Section 3.18.010, which rules and regulations shall be approved by the City Council and be on file with the City Clerk's office and the City Manager's office. (Ord. 3978 § 1 (part), 1972)

Section 3.18.030 Severability.

If any section, subsection, sentence, clause or other phrase of this chapter is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the validity or constitutionality of the remaining portions of this chapter.

The City Council declares that it would have passed this chapter, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more of these sections, subsections, sentences, clauses or phrases thereof are declared unconstitutional or invalid. (Ord. 3978 § 1 (part), 1972).

Chapter 3.24

REPORT AND ACCOUNTING FORMS

Sections:

- 3.24.010** **Order to director to adopt those required to be made to State Comptroller.**
3.24.020 **Departments directed to use forms prescribed by Controller.**

Section 3.24.010 **Order to director to adopt those required to be made to State Comptroller.**

The Controller of the City is hereby authorized and directed to adopt and use such forms for report and accounting as shall conform to the form of report and accounting required to be made to the Comptroller of the State. (Prior code § 2.10)

Section 3.24.020 **Departments directed to use forms prescribed by Controller.**

All departments of the City are hereby directed to use such forms for reports and accounting as may be prescribed by the Controller of the City in carrying out and making effective the provisions of Section 3.24.010. (Prior code § 2.11)

Chapter 3.28

WARRANTS*

Sections:

- 3.28.00E** **Editor's note to Chapter 3.28.**
- 3.28.010** **Definitions--Date.**
- 3.28.020** **Controller directed to cancel certain warrants.**
- 3.28.030** **Treasurer to refuse payment of cancelled warrants.**
- 3.28.040** **List of cancelled warrants--Record of cancellation.**
- 3.28.050** **Treasurer to keep record of cancelled warrants presented for payment.**

Section 3.28.00E Editor's note to Chapter 3.28.

* For Charter provisions pertaining to the registration of warrants, see Char. § 1112. (Ord. 6393 § 19, 1997)

Section 3.28.010 Definitions--Date.

For the purposes of this chapter, the word "controller" means the Controller of the City; the word "treasurer" means the Treasurer of the City; the word "warrant" means any claim or demand against the Treasury of the City, or the City, or any department or fund thereof, which has been audited and approved for payment.

"Registered warrants" are expressly excluded from the definition of "warrant" and from the operation of this chapter.

The date which a warrant bears shall be deemed to be the date when it was issued and was payable. (Prior code § 2.1)

Section 3.28.020 Controller directed to cancel certain warrants.

The Controller is authorized and directed to cancel each warrant issued and payable on or after January 1, 1950, which is not presented to the Treasurer for payment on or before the thirty-first day of December of the second calendar year immediately following the calendar year during which it was issued. The entire calendar year during which the warrant was issued shall be excluded from the computation of time within which a warrant must be presented for payment. (Prior code § 2.2)

Section 3.28.030 Treasurer to refuse payment of cancelled warrants.

The Treasurer shall refuse payment of each warrant which has been cancelled or should be cancelled for failure of presentation for payment as provided in Section 3.28.020. The Treasurer shall not incur any liability in person or on his official bond by reason of payment of any warrant which has been cancelled or which should have been cancelled as provided in Section 3.28.020, if such payment was the result of accident, inadvertence or excusable neglect. (Prior code § 2.3)

Section 3.28.040 List of cancelled warrants--Record of cancellation.

The Controller shall prepare a list of cancelled warrants in duplicate annually and shall keep the original of the list in his office and furnish the Treasurer with the copy of such list. The record of cancelled warrants shall show the serial number of each warrant, together with the date when and the amount for which it was issued, the fund against which it was issued, the

payee, and the date of cancellation.

Such cancellation shall be made on the record or register of claims, demands and warrants, and on the fact of any claim, demand or warrant in the possession of the Auditor. (Prior code § 2.4)

Section 3.28.050 Treasurer to keep record of cancelled warrants presented for payment.

The Treasurer shall keep a record of such cancelled warrants as may be presented to him for payment, and shall include the date of presentation for payment. Copies thereof shall be furnished to the Controller from time to time as requested. (Prior code § 2.5)

Chapter 3.30

FEE AND SERVICE CHARGE REVENUE/COST COMPARISON SYSTEM

Sections:

- 3.30.010 Findings and intent.**
- 3.30.020 Definitions.**
- 3.30.030 Schedule of fees and service charges.**
- 3.30.040 Public meeting--Provision of data.**

Section 3.30.010 Findings and intent.

A. Pursuant to Article XIII B of the California Constitution, it is the intent of the City Council to require the ascertainment and recovery of costs reasonably borne from fees, charges and regulatory license fees levied therefor in providing the regulation, products or services hereinafter enumerated in this chapter.

B. The fee and service charge revenue/cost comparison set forth in this chapter provides a mechanism for ensuring that fees adopted by the City for services rendered do not exceed the reasonable estimated cost for providing the services for which the fees are charged.

C. The adoption of this chapter is exempt from the California Environmental Quality Act (Public Resources Code Sections 2100 et seq.), because it approves and sets forth a procedure for determining fees for the purpose of meeting the operating expenses of City departments, as set forth in Public Resources Code Section 21080(b)(8)(1). (Ord. 5992 § 1, 1992; Ord. 5891 § 1, 1991)

Section 3.30.020 Definitions.

Except where the context requires otherwise, the definitions given in this section govern the construction of this chapter.

"City Manager" shall mean the City Manager of the City of Riverside.

"Costs reasonably borne" as used and ordered to be applied in this chapter are to consist of the following elements:

1. All applicable direct costs including, but not limited to salaries, wages, overtime, employee fringe benefits, services and supplies, maintenance and operation expenses, contracted services, special supplies, and any other direct expense incurred.

2. All applicable indirect costs including, but not restricted to, building maintenance and operations, equipment maintenance and operations, communications expenses, computer costs, printing and reproduction, vehicle expenses, insurance, debt service, and like expenses when distributed on an accounted and documented rational proration system.

3. Fixed asset recovery expenses, consisting of depreciation charges calculated on the current estimated cost of replacement, divided by the approximate life expectancy of the fixed asset. A further additional charge to make up the difference between book value depreciation not previously recovered and reserved in cash and the full cost of replacement, also shall be calculated and considered a cost so as to recover such unrecovered costs between book value and cost of replacement over the remaining life of the asset.

4. General overhead, expressed as a percentage, distributing and charging the expenses of the City Council, City Manager Department, City Clerk Department, City Treasurer, Finance Department, Information Systems Department, Legal Department and Personnel Department, and all other staff and support service provided to the entire City organization. Overhead shall be prorated between tax-financed services and fee-financed services on the

basis of said percentage so that each of taxes and fees and charges shall proportionately defray such overhead costs.

5. Departmental overhead, expressed as a percentage, distributing and charging the cost of each department head and his or her supporting expenses as enumerated in subdivisions 1, 2, 3 and 4 of this definition.

6. Debt service costs, consisting of repayment of principal, payment of interest, and trustee fees and administrative expenses for all applicable bond, certificate, note or securities issues or loans of whatever nature or kind. Any required coverage factors or required or established reserves beyond basic debt service costs also shall be considered a cost if required by covenant within any securities ordinance, resolution, indenture or general law applicable to the City. (Ord. 5992 § 1, 1992; Ord. 5891 § 1, 1991)

Section 3.30.030 Schedule of fees and service charges.

A. The City Manager, Finance Director and each City department head, under the direction of the City Manager, shall review annually the regulations, products and services of the City and the fees and service charges imposed by the City or recommended to be imposed by the City, and provide an adjusted fee or charge schedule to the City Council for its consideration so as to recover the percentage of costs reasonably borne as hereinafter set forth necessary to provide the listed regulation, product or service:

| <u>Regulation, Product or Service</u> | | <u>Percentage of Costs</u> <u>Reasonably</u> <u>Borne to Be Recovered</u> |
|---|--|---|
| I. CITY CLERK: | | |
| 1201 | City Clerk Document Certification | 100% |
| 1202 | Candidate Nomination Filing | 100% |
| 1203 | Municipal Code Book/Supplement Charges | N/A |
| 1204 | Tape Duplication of Council Meetings | 100% |
| 1205 | Political Reform Act Late Filing | 50% |
| 1206 | Candidate Statement Filing | N/A |
| 1207 | Passport Application | N/A |
| 1208 | Passport Photo | 100% |
| II. FINANCE: | | |
| 2301 | Transit Permit | 100% |
| 2303 | Street Vendor Regulation/Permit | 100% |
| 2304 | Close-Out Sale Regulation/Permit | 75% |
| 2305 | Bicycle Registration/License | 50% |
| 2306 | Returned Check (NSF) Processing | 100% |
| 2307 | New Business Registration/Inspection | 0% |
| 2308 | Administrative Oversight-Gurney/Litter Van | 100% |
| III. COMMUNITY DEVELOPMENT - BUILDING: | | |
| 2601 | Building Plan Check | 100% |
| 2602 | Building Permit and Inspection | 100% |
| 2606 | Special Inspections | 100% |
| 2607 | Building Modification/Alternate Materials Review | 100% |
| 2608 | Appeal of Building Official | 100% |
| 2609 | Building Document Archiving | 100% |

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| 2610 | Special Deputy Registration | 100% |
| IV. COMMUNITY DEVELOPMENT - PLANNING: | | |
| 2701 | Amendment to Zoning Text | 50% |
| 2702 | Interpretation of Zoning Text | 100% |
| 2703 | Public Hearing Advertise/Re-advertise | 100% |
| 2705 | Zoning Letter | 100% |
| 2706 | Plot Plan Review | 100% |
| 2707 | Minor Conditional Use Permit Review | 100% |
| 2708 | Conditional Use Permit Review | 100% |
| 2711 | Time Extension Review | 100% |
| 2712 | Administrative Time Extension Review | 100% |
| 2713 | Parcel Map Review | 100% |
| 2714 | Minor Conditional Use Permit – Alcohol | 100% |
| 2715 | Waiver of Parcel Map Review | 100% |
| 2716 | Minor Conditional Use Permit – Entertainment/Housing | 100% |
| 2717 | Conditional Use Permit - Alcohol | 100% |
| 2719 | Tentative Tract/Reversion to Acreage Map Review | 100% |
| 2720 | Tentative Tract Map Variance Review | 100% |
| 2721 | Conditional Use Permit - Housing | 100% |
| 2723 | Vesting Map Review | 100% |
| 2725 | Planned Residential Development Permit Review | 100% |
| 2728 | Vesting Map Initial Environmental Study | 100% |
| 2730 | Rezoning Request Review | 100% |
| 2731 | Rezoning Request Time Extension without Hearing | 100% |
| 2732 | Rezoning Request Time Extension with Hearing | 100% |
| 2734 | Variance Review | 100% |
| 2739 | Day Care Permit Review | 100% |
| 2740 | Administrative Variance Review | 50% |
| 2743 | Street/Alley Vacation/Traffic Pattern Modification Review | 50% |
| 2744 | Certificate of Compliance Investigation | 100% |
| 2745 | Modification of Conditions Review | 100% |
| 2746 | Temporary Use Permit (TUP) | 100% |
| 2747 | Nonconforming Status Review | 100% |
| 2748 | Condominium Conversion | 100% |
| 2749 | Initial Environmental Study (Except Grading) | 100% |
| 2751 | Administrative Initial Environmental Study (Grading) | 100% |
| 2752 | Initial Environmental Study With Existing Case | 100% |
| 2753 | Environmental Impact Report | 100% |
| 2757 | Airport Land Use Commission Appeal Without Public Hearing | 100% |
| 2758 | Airport Land Use Commission Appeal With Public Hearing | 100% |
| 2760 | Development Agreement | 100% |
| 2764 | General Plan Amendment Review | 100% |
| 2766 | Specific Plan Review | 100% |
| 2768 | Specific Plan Initial Environmental Study | 100% |
| 2770 | Plot Plan/Elevation Design Review | 100% |
| 2771 | Landscape/Irrigation Plan Review | 100% |
| 2772 | Administrative Sign Review | 100% |
| 2774 | Street Design Review (Reverse Frontage) | 100% |

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| 2777 | Administrative Review – Single Family Residential (SFR)Plot Plan/Elevations | 100% |
| 2778 | Administrative Review - Single Family Residential (SFR)Landscape/Irrig. Plans | 100% |
| 2785 | Administrative Design Review – Miscellaneous | 100% |
| 2787 | General Plan Maintenance and Update | 100% |
| 2788 | Annexation Processing | N/A |
| 2790 | Planning Appeal | 100% |
| 2792 | Mills Act Preservation Review | 100% |
| 2793 | Street Name Change | 100% |
| 2794 | Lot Line Adjustments/Consolidations | 100% |
| 2795 | Summary Vacation Review | 100% |
| 2796 | Administrative Review for Public Convenience and Necessity | 100% |
| 2797 | Planning Document Imaging | 100% |
| 2798 | Williamson Act Contract Application Review | 100% |
| V. NON-DEPARTMENTAL ACTIVITIES: | | |
| 2901 | Sale of Printed Material and Maps | 100% |
| 2902 | Social Services Program Support | N/A |
| 2904 | Live Steamer Club Services | N/A |
| 2905 | Visitor & Convention Bureau Support | N/A |
| 2906 | Copying of Documents | 100% |
| 2907 | Child Care Program Rental | 50% |
| 2910 | Animal Regulation/Licensing | 35% |
| 2911 | Copy of Records from Microfilm | 100% |
| 2912 | Public Safety Cost Recovery | N/A |
| 2921 | Transportation Center Maintenance | 100% |
| 2923 | Damage to City Property | 100% |
| 2924 | Municipal Auditorium Rental | N/A |
| 2925 | Specialized Report Request | 100% |
| 2926 | Sale of Digital CADME Data Products | N/A |
| VI. PUBLIC SAFETY - POLICE: | | |
| 3103 | Police Security Service | 75% |
| 3106 | Noise Disturbance Response Call-Back | 100% |
| 3107 | Driving Under the Influence (DUI) Accident Response Investigation/Reporting | 100% |
| 3109 | Fingerprint Processing | N/A |
| 3110 | Vehicle Citation Correction Inspection | 100% |
| 3113 | Concealed Weapon Background Investigation/Permit | 100% |
| 3114 | Abandoned Vehicle Removal | 75% |
| 3115 | Special Computer Print-Out Service | 100% |
| 3116 | Statutory Registration | N/A |
| 3117 | Reproduction of Crime Scene Photos | 100% |
| 3119 | Police Report Copying | 100% |
| 3120 | Parking Enforcement | 75% |
| 3121 | California Vehicle Code Enforcement | 75% |
| 3123 | Crosswalk Protection | N/A |
| 3124 | Special Event Regulation | 10% |
| 3126 | Regulatory License/Special Permits | 100% |
| 3128 | Bingo Permit Regulation | 100% |

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| 3129 | Police Tape Duplication Service | 100% |
| 3130 | Vehicle Release Fee - Safe Streets Act | 100% |
| 3132 | Repossessed Vehicle Processing | N/A |
| 3133 | School Resource Program | N/A |
| 3134 | Towing Referral Services | 100% |
| VII. PUBLIC SAFETY - FIRE: | | |
| 3502 | Hazardous Materials Usage/Permit I (Business Emergency Plan) | 100% |
| 3503 | Hazardous Materials Usage/Permit II (Business Emergency Plan) | 100% |
| 3504 | Hazardous Materials Usage/Permit III (Business Emergency Plan) | 100% |
| 3505 | Hazardous Materials Investigation | 100% |
| 3506 | Fire Prevention Inspection | 0% |
| 3507 | Controlled Burn Permit Review | 0% |
| 3508 | Explosive Permit Review | 100% |
| 3509 | Fireworks Display Inspection/Permit | 100% |
| 3510 | Requested Fire Inspection | 100% |
| 3514 | Fixed Extinguishing Systems Plan Check | 100% |
| 3516 | Uniform Fire Code Without Inspection | 100% |
| 3517 | Uniform Fire Code Inspection/Permit | 100% |
| 3518 | Install/Remove Above Ground Fuel Tank | 100% |
| 3521 | Hazardous Materials Records Search | 100% |
| 3522 | Medical Aid Response | N/A |
| 3524 | Fire Company Second Reinspection | N/A |
| 3525 | Illegal Burn Response | 100% |
| 3526 | Electrical Hazard Response | 100% |
| 3527 | Sprinkler System Plan Check/Inspection | 100% |
| 3528 | Tenant Improvement Sprinkler System Plan Check | 100% |
| 3529 | Fire Alarm System Plan Check | 100% |
| 3530 | Fire Protection Underground System Plan Check | 100% |
| 3532 | Hazardous Material Response | 100% |
| 3533 | Requested Fire Investigation | 100% |
| 3535 | Sprinkler System Plan Check/Inspection Multiple Site | 100% |
| 3536 | New Construction Reinspection | 100% |
| VIII. PUBLIC WORKS - ADMINISTRATION: | | |
| 4101 | Air Quality Improvement Program | N/A |
| IX. PUBLIC SAFETY - CODE COMPLIANCE: | | |
| 4110 | Weed Abatement | 100% |
| 4112 | Vehicle Abatement | 75% |
| 4113 | Dangerous Building Inspection | 100% |
| 4114 | Zoning Enforcement - Removal of Signs in Right-of-Way | 100% |
| 4116 | Trash/Nuisance Abatement | 100% |
| X. COMMUNITY DEVELOPMENT - PUBLIC WORKS: | | |
| 4125 | Processing Fees | 100% |
| 4126 | Public Improvement Time Extensions | 100% |
| 4127 | Determination of Compliance | 100% |
| 4128 | Subdivision Plan Check | 100% |

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| 4129 | Subdivision Map Check | 100% |
| 4130 | Parcel Map, Map Check | 100% |
| 4131 | Parcel Map Plan Check | 100% |
| 4132 | Engineering Plan Check (Except Parcel Map and Subdivision) | 100% |
| 4133 | Private Development Inspection | 100% |
| 4134 | Street Encroachment Request | 100% |
| 4135 | Street Opening Permit/Inspection | 100% |
| 4136 | Grading Plan Check | 100% |
| 4137 | Grading Inspection | 100% |
| XI. PUBLIC PARKING – PUBLIC WORKS: | | |
| 2309 | Handicapped Parking Ticket Dismissal | 100% |
| 4120 | Public Parking Garage Operation | 35% |
| 4121 | Public Parking Lot Operation | 100% |
| 4147 | Overtime Parking | N/A |
| XII. MAINTENANCE | | |
| 4140 | Wide, Overweight/Long-Load Permit Review | 100% |
| 4141 | General Utility Street Usage/Franchise | N/A |
| 4142 | Right-of-Way Cleanup | 100% |
| 4146 | Hazardous Material Cleanup | 100% |
| XIII. UTILITY AND ENTERPRISES - SEWER: | | |
| 4165 | Private Contractor Septic Tank Discharge | N/A |
| XIV. UTILITY AND ENTERPRISES - REFUSE: | | |
| 4182 | Self-Haul Permit Review | N/A |
| XV. LEISURE AND CULTURAL - LIBRARY: | | |
| 5101 | Library Room Rental | N/A |
| 5102 | Reservation of Library Materials | 100% |
| 5103 | Inter-Library Book Retrieval | 10% |
| 5104 | Retrieval and Copying of Periodicals | 50% |
| 5105 | Replacement of Lost Cards | 60% |
| 5106 | Replacing Lost Library Items | 100% |
| 5107 | County Library Service (Contract) | 100% |
| 5108 | Library Equipment Rental | 100% |
| 5109 | Library On-Line Records Search | N/A |
| 5110 | Overdue Materials Processing | 100% |
| 5111 | Damaged Material Repairs | N/A |
| 5112 | Historic Photograph Processing | N/A |
| 5113 | Overdue Collection Fee | N/A |
| XVI. COMMUNITY DEVELOPMENT - PARK AND RECREATION: | | |
| 5201 | Street Tree Plan Check | 100% |
| 5202 | Reverse Frontage and Median Plan Check | 100% |
| 5203 | Reverse Frontage and Median Inspection | 100% |
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| XVII. LEISURE AND CULTURAL - RECREATION: | | |
| 5210 | Youth Contract Classes | 30% |
| 5211 | Youth City Activities | 0% |
| 5212 | Day Camp Programs | 50% |
| 5213 | Youth Center Special Events | 5% |
| 5214 | Adult Contract Classes | 75% |
| 5216 | Local Community Activities | 0% |
| 5217 | Picnic Facility Reservation/Rental | 60% |
| 5218 | Social Services Office Rental | 50% |
| 5219 | Facility Use Without Charge | N/A |
| 5220 | Community Center Rental | 50% |
| 5221 | Youth Sports Programs | 10% |
| 5222 | Adult Sports Programs | 50% |
| 5223 | Time for Tots Programs | 25% |
| 5224 | Youth Excursions | 50% |
| 5225 | City-Wide Special Events | 20% |
| 5226 | Special Trips and Travel | N/A |
| 5227 | Senior Citizen Programs | 10% |
| 5228 | Challenged Citizen Activities | 25% |
| 5230 | Youth Summer Food Program | N/A |
| 5231 | Recreational Swimming | 20% |
| 5232 | Swimming Lessons | 50% |
| 5233 | Pool Rentals | 100% |
| 5234 | Private Swim Team Pool Use | N/A |
| 5235 | Boathouse Boat Rentals | 100% |
| 5236 | Lakeside Room Rental | 100% |
| 5240 | Goeske Senior Center Support | N/A |
| 5245 | Senior Nutrition Program | 75% |
| | | |
| XVIII. MAINTENANCE - PARK AND RECREATION: | | |
| 5253 | Private Youth Group Field Usage | N/A |
| 5254 | Private Adult Field Rental | 100% |
| 5255 | Private Youth Group Field Lighting | N/A |
| 5256 | Private Adult Field Lighting | 100% |
| 5257 | Lawn Bowling Grounds Maintenance | N/A |
| 5258 | Riverside Community College Ballfield and Tennis Court Maintenance | N/A |
| | | |
| XVIX. LEISURE AND CULTURAL - HISTORIC RESOURCES: | | |
| 5301 | Museum Operation | N/A |
| 5302 | Heritage House Operations | N/A |
| 5303 | Mission Inn Support | N/A |
| | | |
| XX. ENTERPRISES - AIRPORT: | | |
| 5401 | Airport Operations | N/A |

(Ord. 6976 § 1, 2008; Ord. 6879 § 1, 2006; Ord. 6870 § 1, 2006; Ord. 6818 § 1, 2005; Ord. 6757 § 1, 2004; Ord 6694 § 1, 2003; Ord 6652 § 1, 2003; Ord. 6584 § 1, 2001; Ord. 6564 § 1, 2001; Ord. 6517 § 1, 2000; Ord. 6486 § 1, 1999; Ord. 6469 § 1, 1999; Ord. 6454 § 1, 1998; Ord. 6430 § 1, 1998; Ord. 6370 § 1, 1997; Ord. 6361 § 1, 1997; Ord. 6285 § 1, 1996; Ord. 6225 § 1,

1995; Ord. 6218 § 1, 1995; Ord. 6199 § 1, 1995; Ord. 6171 § 1, 1994; Ord. 6132 § 1, 1994; Ord. 6055 § 1, 1993; Ord. 6030 § 1, 1993; Ord. 6025 § 1, 1992; Ord. 6017 § 1, 1992; Ord. 6004 § 1, 1992; Ord. 5992 § 1, 1992; Ord. 5963 § 1, 1991; Ord. 5957 § 1, 1991; Ord. 5891 § 1, 1991)

Section 3.30.040 Public meeting--Provision of data.

The City Council shall, at least annually in conjunction with the City annual budget process, receive at a regularly scheduled meeting oral and written presentations concerning fees and charges proposed to be decreased, increased or deleted. At least ten days prior to such public meeting, the City Manager shall make available to the public appropriate data indicating the cost, or estimated cost, required to support the fees and charge for which changes are proposed to be made or fees or charges imposed. The City Manager also shall provide a summary of the present fee and charge schedules and those proposed at such annual public meeting. (Ord. 5992 § 1, 1992; Ord. 5891 § 1, 1991)

Chapter 3.31

ADMINISTRATIVE CHARGES

Sections:

- 3.31.010 Purpose.**
- 3.31.020 Imposition of administrative charges.**
- 3.31.030 Collection of administrative charges.**

Section 3.31.010 Purpose.

The City Council hereby finds and determines that it is appropriate and necessary to require the recovery of costs and expenses incurred by the City for the enforcement of various provisions of this code relating to the public's health, safety and welfare from those whose action or inaction caused, allowed or permitted such condition to exist. By this chapter, the City Council desires to provide for the imposition and collection of administrative and other charges relating to the enforcement of various provisions of this code and abatement proceedings authorized thereby. (Ord. 5920 § 1, 1991)

Section 3.31.020 Imposition of administrative charges.

Each person, firm, partnership, association, company or organization of any kind owning, leasing, occupying or otherwise having any interest in any property, whether personal or real, which is subject to an investigation for a nuisance and an abatement proceeding pursuant to this code shall pay to the City a charge to reimburse the City for costs incurred in the investigation, inspection, enforcement and administration of the abatement proceedings, in addition to any charges incurred for the actual abatement of the nuisance. The charges as imposed hereby shall be in such amount as established from time to time by resolution of the City Council. (Ord. 5920 § 1, 1991)

Section 3.31.030 Collection of administrative charges.

The charges as imposed by Section 3.31.020 shall be deemed a debt to the City and may be collected as any civil debt owed the City in any court of competent jurisdiction or may be imposed as a lien upon the respective lot or property pursuant to the procedures authorizing such abatement. (Ord. 5920 § 1, 1991)

Chapter 3.32

STREET LIGHTING CHARGES

Sections:

- 3.32.010 Established--Designated.**
- 3.32.020 Proposed street lighting--Improvements--Hearing.**
- 3.32.030 Additional charges.**
- 3.32.040 Collection of established charges.**
- 3.32.050 Collection of additional charges.**

Section 3.32.010 Established--Designated.

There is hereby established a street lighting charge to be collected from the occupants of buildings within the City. This charge shall be collected by the Finance Director by placing said charge on the City utility bills. This charge shall be an excise tax and shall not be an ad valorem tax on real property.

The City Council finds and determines that the public health, peace and welfare requires that all major arterial and collector streets throughout the City be adequately lighted and further determines that the occupants of each building shall be charged as follows in accordance with the type of electric meter serving each building:

A. Each residential meter, eight cents per month per meter to be increased four cents beginning April 1, 1971, and increased four cents beginning with each succeeding ninth month thereafter until the sum of twenty cents is reached.

B. Each commercial account--block rate, eight cents per month to be increased four cents beginning April 1, 1971, and increased four cents beginning with each succeeding ninth month thereafter until the sum of twenty cents is reached.

C. Each commercial account--demand rate A, sixteen cents per month to be increased eight cents beginning April 1, 1971, and increased eight cents beginning with each succeeding ninth month thereafter until the sum of forty cents is reached.

D. Each industrial and commercial account demand rate B, forty cents per month to be increased twenty cents beginning April 1, 1971, and increased twenty cents with each succeeding ninth month thereafter until the sum of one dollar is reached. (Ord. 3806 § 1, 1971; Ord. 3688 § 1, 1970; Ord. 3626 § 1, 1969)

Section 3.32.020 Proposed street lighting--Improvements--Hearing.

Upon petition by the occupants of a proposed street lighting area or upon motion by the City Council, the City Council may initiate proceedings to determine whether or not the public interest requires the establishment of a street lighting area to provide for street lights where no street lights exist or to install new lights where inadequate lights by present standards exist. Said initiation shall be by minute action of the City Council which shall set a date for public hearing on the proposed street lighting area.

Not less than ten days prior to the date of hearing, there shall be published one time in a newspaper of general circulation, a notice containing information concerning the intention to form a street lighting area and the proposed hearing, at which time occupants may file protests. In addition the Director of Public Utilities shall give notice by mail of the proposed adoption of a resolution initiating and establishing a street lighting area to the person who signed for the electrical service at each address within the proposed area, served by an electrical meter. Failure to so notify shall in no way invalidate these proceedings or the charges herein

established.

The notice shall contain a statement of the day, hour, and place where and when any and all persons having objection to the proposed work may appear before the City Council and show cause why the proposed work should not be carried out in accordance with the proposed resolution and why the charges should not be imposed.

The City Council shall proceed to hear and pass upon all protests so made and its determination shall be final. Should it appear that the majority of occupants of a proposed area do not want the improvements, the City Council may by resolution abandon the proceedings.

Should the City Council determine that a petition has been presented representing one hundred percent of the occupants of a proposed street lighting area, the City Council need not hold a public hearing and may proceed forthwith to order the improvements installed.

If the City Council determines that the work should proceed, it shall order the improvements to be installed. (Ord. 3814 § 1, 1971; Ord. 3688 § 2 (part), 1970; Ord. 3626 § 2 (part), 1969)

Section 3.32.030 Additional charges.

Upon completion of the work mentioned in Section 3.32.020 the Finance Director shall compute the amount of money advanced by the City to cover the costs involved. In order to fully reimburse the City for funds advanced, additional street lighting charges in the amounts hereinafter specified shall be charged occupants of the zone until the City has been fully reimbursed. Said reimbursements shall include both principal and interest on any bonds or other loans incurred by the City to pay the initial costs.

The Director of Public Utilities shall exempt any occupants of buildings where the occupant, owner or predecessor in interest has been assessed or has paid for street lights to be installed in the street abutting the building or area served by the meter. This provision shall not apply when the assessment or charge was used for installation of lights that are now inadequate and are now to be replaced with adequate lighting.

Upon completion of the work, the Public Utilities Director shall place the following charges on the occupants of each building responsible for payment of the electrical bill, in accordance with the type of electric meter servicing each building. Said charges shall be as follows and shall be paid until such time as the City has been fully reimbursed for its initial advancement of funds:

A. When new ornamental street lights are installed:

1. Residential meters, apartment "house meters" and commercial account block rate meters, eighty cents per month;
2. Each meter in a duplex, triplex, or fourplex, fifty cents per month;
3. All other apartment meters, twenty cents per month;
4. Commercial account demand rate A meters, one dollar and sixty cents per month;
5. Industrial and commercial account demand rate B meters, five dollars times the number of street lights installed on customer's side of the street abutting the property upon which the building and adjacent areas are served by the meter, with a monthly minimum of one dollar and sixty cents.

B. Where inadequate lights by current City standards are replaced by modifying existing street lights or where new mast arm lights are installed on existing wood poles:

1. Residential meters, apartment "house meters" and commercial account block rate meters, thirty cents per month;
2. Each meter in a duplex, triplex, or fourplex, twenty cents per month;
3. All other apartment meters, ten cents per month;
4. Commercial account demand rate A meters, sixty cents per month;
5. Industrial and commercial account demand rate B meters, two dollars and fifty cents

times the number of street lights installed on customer's side of the street abutting the property upon which the building and adjacent area are served by the meter, with a monthly minimum of sixty cents.

C. When Mission Bell Raincross street lights are installed:

1. Residential meters, apartment "house meters" and commercial account block rate meters, one dollar and fifty cents per month;

2. Each apartment meter, forty cents per month. (Ord. 3738 § 1, 1970; Ord. 3688 § 2 (part), 1970; Ord. 3626 § 2 (part), 1969)

Section 3.32.040 Collection of established charges.

The charges established by Section 3.32.010 shall commence with utility bills containing electrical charges for electric meters read on and after January 1, 1970, and the initial four cents increase shall commence with utility bills containing electrical charges for electric meters read on and after July 1, 1970. (Ord. 3688 § 3, 1970; Ord. 3626 § 3, 1969)

Section 3.32.050 Collection of additional charges.

The charges set by Section 3.32.030 shall commence with utility bills containing readings for services commencing the month following completion of the work. (Ord. 3688 § 4, 1970; Ord. 3626 § 4, 1969)

Chapter 3.36

FUNDS

Section:

3.36.010 Funds in the treasury.

Section 3.36.010 Funds in the treasury.

The funds in the treasury of the City are the funds included in this section and are as follows:

- A. **General Governmental Funds.**
 - General Fund (101)
 - Central Services Fund (102)
 - District Improvement Incidentals Fund (103)
 - Landscape Maintenance District Fund (104)
- B. **Special Revenue Funds.**
 - Revelopment Agency Fund (170)
 - Library Fund (210)
 - Community Development Fund (220)
 - Home Investment Partnership Program Fund (221)
 - Housing Opportunities for Persons with AIDS Fund (222)
 - Special Gas Tax Fund (230)
 - Air Quality Improvement Fund (240)
 - Citrus Grove Management Fund (250)
 - NPDES Storm Drain Fund (260)
 - Special Designation Fund (290)
- C. **Debt Service Funds.**
 - General Bond Debt Service Fund (310)
 - Miscellaneous Assessment District -- Fairmount Fund (340)
 - Miscellaneous Assessment Districts -- Sandy Lane and Sycamore Canyon Fund (341)
 - Hunter Business Park Assessment District Fund (342)
 - Auto Center Assessment District Fund (344)
 - Canyon Springs Assessment District Fund (350)
 - Community Facilities District -- Orangecrest Debt Service Fund (351)
 - Community Facilities District -- Mission Grove Debt Service Fund (352)
 - Community Facilities District -- Lusk/Highlander Debt Service Fund (353)
 - Community Facilities District -- Tyler Mall Debt Service Fund (355)
 - Riverside Municipal Improvements Corporation

-- Certificates of Participation Debt Service
Fund (390)
Riverside Public Financing Authority Fund (394)

D. Capital Outlay and Construction Funds.

Storm Drain Fund (410)
Special Capital Improvement Fund (411)
Fire Station Construction Fund (412)
Regional Park Special Capital Improvements Fund (413)
Capital Outlays Fund (430)
Transportation Projects Fund (431)
Measure A Capital Outlay Fund (432)
Sycamore Canyon Assessment District No. 1 Fund (441)
Hunter Business Park Assessment District Fund (442)
Voluntary Seismic Assessment District Fund (443)
Auto Center Assessment District Fund (444)
Community Facilities District -- Canyon Springs Fund (450)
Community Facilities District -- Orangecrest Fund (451)
Community Facilities District -- Mission Grove Fund (452)
Community Facilities District -- Lusk-Highlander Fund (453)
Community Facilities District -- Sycamore Canyon Business Park Fund (454)
Community Facilities District -- Tyler Mall Fund (455)
Riverside Municipal Improvements Corporation -- 1987 Certificates of
Participation Fund (491)
Riverside Municipal Improvements Corporation -- 1986 Certificates of
Participation Fund (492)
Parking Facilities Replacement Fund (493)

E. Enterprise Funds.

Electric Fund (510)
Water Fund (520)
Airport Fund (530)
Special Aviation Fund (531)
Refuse Collection Fund (540)
Sewer Service Fund (550)
Sewer Projects Fund (551)
Public Transportation Services Fund (560)

F. Internal Services Fund.

Workers' Compensation Trust Fund (610)
Unemployment Insurance Fund (620)
Liability Insurance Trust Fund (630)
Central Stores Fund (640)
Central Garage Fund (650)

G. Trust and Agency Funds.

Deferred Compensation Fund (710)
Special Deposits Fund (720)
Interest Bearing Special Deposits Fund (721)
Library Minor Gift Fund (722)
1911 Act Improvement Trust Fund (730)

H. **Revolving Funds.**

Utilities Accounts Receivable Fund (787)

Accounts Payable Revolving Fund (789)

Payroll Revolving Fund (790)

Cash Basis Fund -- Investment Clearing (799)

(Ord. 6281 § 1, 1996; Ord. 5922 § 1, 1991; Ord. 4660 § 1, 1979)

Chapter 3.38

MOBILE SOURCE AIR POLLUTION REDUCTION PROGRAMS

Sections:

- 3.38.010 Findings.**
- 3.38.020 Intent.**
- 3.38.030 Definitions.**
- 3.38.040 Administration of vehicle registration fee.**
- 3.38.050 Liberal construction.**
- 3.38.060 Severability.**

Section 3.38.010 Findings.

The City Council of the City of Riverside finds and declares that:

A. The City is committed to improving the public health, safety and welfare, including air quality.

B. Mobile sources are a major contributor to air pollution in the South Coast Air Basin.

C. Air quality goals for the region established by State law cannot be met without reducing air pollution from mobile sources.

D. The South Coast Air Quality Management Plan (AQMP) calls upon cities and counties to reduce air emissions from motor vehicles consistent with the requirements of the California Clean Air Act of 1988 by developing and implementing mobile source air pollution reduction programs.

E. To the extent that such programs place demands upon the City's funds, those programs should be financed by shifting the responsibility for financing from the General Fund to the motor vehicles creating the demand, to the greatest extent possible.

F. Section 44223, added to the Health and Safety Code by action of the State Legislature on September 30, 1990 (Chapter 90-1705), authorizes the South Coast Air Quality Management District (SCAQMD) to impose an additional motor vehicle registration fee of two dollars commencing April 1, 1991, and increasing to four dollars commencing April 1, 1992, to finance the implementation of transportation measures embodied in the AQMP and the provisions of the California Clean Air Act.

G. Forty cents of every dollar collected under Section 44223 of the Health and Safety Code shall be distributed to the cities and counties located in the South Coast Air Basin that comply with Section 44223 of the code, based on the jurisdiction's prorated share of the population as defined by the State Department of Finance.

H. The City of Riverside is located within the South Coast Air Basin and is eligible to receive a portion of the revenues from the motor vehicle registration fees upon adoption of this chapter.

I. The City, after careful consideration, hereby finds and declares that the imposition of the motor vehicle registration fee by the SCAQMD to finance mobile source air pollution reduction programs is in the best interests of the general welfare of the City and its residents. (Ord. 5930 § 1, 1991)

Section 3.38.020 Intent.

This Chapter is intended to support the SCAQMD's imposition of the vehicle registration fee and to bring the City into compliance with the requirements set forth in Section 44223 of the State Health and Safety code in order to receive revenues for the purpose of implementing

programs to reduce air pollution from motor vehicles. (Ord. 5930 § 1, 1991)

Section 3.38.030 Definitions.

As applied in this chapter, the following words and terms shall be defined as follows:

"City" shall mean the City of Riverside.

"District" or "SCAQMD" shall mean the South Coast Air Quality Management District.

"Fee Administrator" shall mean the Finance Director of the City of Riverside.

"Mobile source air pollution reduction programs" shall mean any program or project implemented by the City to reduce air pollution from motor vehicles pursuant to the California Clean Air Act of 1988 or the plan pursuant to Article 5 (commencing with Section 40460) of Chapter 5.5 of Part 3 of the California Health and Safety code.

"South Coast Air Basin" shall mean those portions of Riverside, San Bernardino, Orange and Los Angeles Counties that fall within the jurisdiction of the South Coast Air Quality Management District. (Ord. 5930 § 1, 1991)

Section 3.38.040 Administration of vehicle registration fee.

A. Receipt of Fee. Vehicle registration fees due pursuant to this chapter disbursed by the SCAQMD and transmitted to the City shall be accepted by the Fee Administrator.

B. Transfer of Funds. Upon receipt of the vehicle registration fees, the Fee Administrator shall be responsible for placement of such funds into a separate account as hereinafter specified.

C. Establishment of Air Quality Improvement Trust Fund. The Fee Administrator shall establish a separate interest-bearing trust fund account in a financial institution authorized to receive deposits of City funds. Interest earned by the account shall be credited to that account and shall be used to finance mobile source air pollution reduction programs.

D. Use of Air Quality Trust Fund. The City shall only use vehicle registration funds pursuant to this chapter for programs that reduce air pollution from motor vehicles pursuant to, and for related planning, monitoring, enforcement and technical studies necessary for the implementation of the California Clean Air Act of 1988.

E. Audits. The City consents to audits, at least once every two years, of all programs and projects funded by the vehicle registration fee revenues provided under Section 44223 of the Health and Safety Code. The audits shall be conducted by an independent auditor selected by the SCAQMD. The District shall deduct any audit costs incurred from the City's fee revenues if it finds that the City has not been utilizing the funds in a manner prescribed by this chapter. (Ord. 5930 § 1, 1991)

Section 3.38.050 Liberal construction.

The provisions of this chapter shall be liberally construed to effectively carry out its purposes, which are hereby found and declared to be in furtherance of the public health, safety, welfare and continence. (Ord. 5930 § 1, 1991)

Section 3.38.060 Severability.

Should any sentence, section, clause, part or provision of this chapter be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the chapter as a whole, or any part thereof other than the part declared invalid. (Ord. 5930 § 1, 1991)

Chapter 3.40

ISSUANCE AND SALE OF REVENUE BONDS

Sections:

- 3.40.010 Authorized.**
- 3.40.020 Procedure.**
- 3.40.030 Liberal construction.**

Section 3.40.010 Authorized.

The City Council, exercising the powers reserved to the City under Section 5 of Article XI of the Constitution of the State, and pursuant to Section 1108 of the Charter of the City, may, when the public interest and necessity require, by resolution or resolutions, issue and sell revenue bonds for any City purpose or purposes. (Ord. 5001 § 1, 1982)

Section 3.40.020 Procedure.

Except as otherwise expressly provided in the Charter of the City, the procedure for the issuance of such bonds shall be the procedure set forth in the Revenue Bond Law of 1941 (commencing with Government Code Section 54300) and, by this reference, with the exceptions hereinafter stated, the provisions of said law are incorporated in this chapter; provided, however, that:

A. No election to authorize the issuance of said bonds shall be held, and to that end Sections 54380 through 54387 of said Government Code are not incorporated in this chapter and shall not be applicable to the issuance of said bonds;

B. The restrictions of Government Code Section 54310 shall not apply, and to that end said Section 54310 is not incorporated in this chapter;

C. The City Council may sell such bonds in such manner as it may determine, either by private sale, or by means of competitive bid;

D. Regardless of any maximum coupon rate of interest specified in any resolution calling for the issuance of bonds pursuant to Section 1108 of the Charter of the City and this chapter, said bonds may be sold at a discount not to exceed ten percent of the par value of said bonds and to that end Government Code Section 54418 is not incorporated in this chapter; and

E. The bonds shall bear interest at such rates, payable at such times, as the City Council may determine, notwithstanding any restriction contained in Government Code Section 54402. (Ord. 6393 § 20, 1997; Ord. 5001 § 2, 1982)

Section 3.40.030 Liberal construction.

This chapter shall be liberally construed. (Ord. 5001 § 3, 1982)

Chapter 3.44

IMPROVEMENT BONDS

Sections:

- 3.44.010 Supplemental authority.**
- 3.44.020 Interest payment dates.**
- 3.44.030 Capitalized interest.**
- 3.44.040 Prepayment premiums.**

Section 3.44.010 Supplemental authority.

This chapter shall be deemed to provide a complete, additional, and alternative method for doing the things authorized hereby, and shall be regarded as supplemental and additional to the powers conferred by other laws. (Ord. 5295 § 1, 1985)

Section 3.44.020 Interest payment dates.

In any proceedings leading to the issuance of bonds pursuant to the Improvement Bond Act of 1915, being California Streets & Highways Code Section 8500 and following (the "1915 Act" hereinafter), the City Council may provide that interest on such bonds shall be payable on March 2 and September 2 of each year and that principal shall be payable beginning on the September 2 next succeeding thirteen months from the date of such bonds, and on each September 2 thereafter until the bonds are paid in full. The first payment of interest may become due not more than eighteen months before the maturity of the first series of bonds. (Ord. 5295 § 1, 1985)

Section 3.44.030 Capitalized interest.

In any proceedings leading to the issuance of bonds pursuant to the 1915 Act, the City Council may include, as an incidental expense of the proceedings, an amount for interest on the bonds for a period not to exceed twelve months. Upon receipt of the proceeds of the bond sale proceeds, the amount so provided for shall be deposited in the redemption fund for such bonds and be used solely for the payment of interest thereon. (Ord. 5295 § 1, 1985)

Section 3.44.040 Prepayment premiums.

In any proceedings leading to the issuance of bonds pursuant to the 1915 Act, the City Council may provide for premiums payable by property owners upon the prepayment of assessments in amounts other than that authorized therein and correspondingly provide that the bonds called in connection therewith be redeemable upon payment of such premium. (Ord. 5295 § 1, 1985)

Chapter 3.46

DOWNTOWN PARKING AND BUSINESS IMPROVEMENT AREA

Sections:

| | |
|-----------------|---|
| 3.46.010 | Purpose. |
| 3.46.020 | Resolution of intention. |
| 3.46.030 | Public hearing. |
| 3.46.040 | Description of the area. |
| 3.46.050 | Businesses subject to amendment. |
| 3.46.060 | System of assessments or charges imposed. |
| 3.46.070 | Parking and business improvement area established. |
| 3.46.080 | Uses of revenues. |
| 3.46.090 | Delegation of administration. |
| 3.46.100 | Findings of benefit. |
| 3.46.110 | Termination |
| 3.46.120 | Operative date. |

Section 3.46.010 Purpose.

The purpose of this chapter is to authorize the City of Riverside to impose assessments or charges or both on businesses within a parking and business improvement area which is in addition to any assessments, fees, charges or taxes imposed by the City and to use such proceeds for the benefit of businesses within such area by doing any and all of the following:

- A. Parking improvements,
- B. Beautification,
- C. Promotion of public events,
- D. Furnishing of music to public places in the area, and
- E. General promotion of business activities. (Ord. 5303 § 1, 1985)

Section 3.46.020 Resolution of intention.

The parking and business improvement area herein created was initiated pursuant to the provisions of Streets & Highways Code Section 36521 which requires adoption of a Resolution of Intention by the legislative body of any City creating such an area. The City Council of the City of Riverside at a regular City Council meeting on May 7, 1985 adopted Resolution No. 15719 which declared its intention to consider establishing a parking and business improvement district pursuant to the Parking and Business Improvement Area Law of 1979. (Ord. 5303 § 1, 1985)

Section 3.46.030 Public hearing.

Pursuant to the requirement of Streets & Highways Code Section 36525, the City Council of the City of Riverside held a public hearing at a regularly-scheduled City Council meeting on June 11, 1985 for the purpose of receiving testimony and protests and other comment from those businesses within the proposed area, and to receive any other information concerning the formation of the area. (Ord. 6393 § 21, 1997; Ord. 5303 § 1, 1985.)

Section 3.46.040 Description of the area.

The Downtown Parking and Business Improvement Area created herein is in the downtown

business area of the City of Riverside, an area more fully described in the legal description and the plat of the area titled "Business Improvement District" and permanently placed on file in the Office of the City Clerk, and incorporated herein by this reference. The boundaries of the Downtown Parking and Business Improvement Area of the City of Riverside may be amended from time to time, by resolution pursuant to Section 36535 of the California Streets and Highways Code or by ordinance pursuant to Section 36540 of the California Streets and Highways Code. (Ord. 6836 § 1, 2005; Ord. 6601 § 1, 2002; Ord. 5303 § 1, 1985.)

Section 3.46.050 Businesses subject to amendment.

All businesses in the area created and established under this chapter shall be subject to any amendments to this chapter enacted or adopted by the City Council of the City of Riverside and to any amendments to the Parking and Business Improvement Area Law of 1979 enacted or adopted by the State legislature. (Ord. 5303 § 1, 1985)

Section 3.46.060 System of assessments or charges imposed.

A charge system is hereby imposed whereby each business entity within the Parking and Business Improvement Area, as hereby created, shall pay an amount equal to one hundred percent (100%) of the business tax charge as set forth in this Code or as it may hereafter be amended. Such funds are in addition to and shall be kept in a separate account from business tax revenues and shall be used for the purposes which are established herein. (Ord. 6512 § 1, 2000; Ord. 5303 § 1, 1985)

Section 3.46.070 Parking and business improvement area established.

Pursuant to the provisions of Streets & Highways Code Section 36500 and following, the City Council hereby establishes a downtown parking and business improvement area as described in this chapter. (Ord. 5303 § 1, 1985)

Section 3.46.080 Uses of revenues.

The revenues derived from the parking and business improvement area assessments and charges shall be used for the following purposes:

- A. Seasonal retail promotions,
- B. Beautification and parking projects,
- C. General promotion of business activities,
- D. Other uses not inconsistent with the purposes enumerated in Section 3.46.010.

(Ord. 5303 § 1, 1985)

Section 3.46.090 Delegation of administration.

The Riverside Downtown Association is authorized to administer funds raised hereunder and to operate programs and activities which are consistent with the purposes, goals and uses outlined in this chapter, and to formally report back to the City Council at least annually beginning no later than January, 1987. (Ord. 5303 § 1, 1985)

Section 3.46.100 Findings of benefit.

The City Council, after holding a public hearing and providing an opportunity for protests to be heard and after taking testimony and comment from interested persons representing businesses within the area and the Riverside Downtown Association, does hereby find that the public interest, convenience and necessity require that the area be established and that the businesses conducting their activities within the area will benefit by the expenditure of funds

raised by the charges as contemplated by said Section 36500 and following of the Streets and Highways Code. (Ord. 5303 § 1, 1985)

Section 3.46.110 Termination

Repealed by Ord. 5883.

Section 3.46.120 Operative date.

The operative date of this chapter is January 1, 1986. (Ord. 5303 § 1, 1985)

Chapter 3.48

ARLINGTON BUSINESS IMPROVEMENT DISTRICT

Sections:

| | |
|-----------------|---|
| 3.48.010 | Purpose. |
| 3.48.020 | Resolution of Intention. |
| 3.48.030 | Public Hearing. |
| 3.48.040 | Parking and Business Improvement Area Established. |
| 3.48.050 | Description of Area. |
| 3.48.060 | Businesses subject to amendments. |
| 3.48.070 | System of assessments or charges imposed. |
| 3.48.080 | Uses of revenues. |
| 3.48.090 | Delegation of administration. |
| 3.48.100 | Findings of benefit. |
| 3.48.110 | Modification. |
| 3.48.120 | Operative date. |

Section 3.48.010 Purpose.

The purpose of this chapter is to authorize the City of Riverside to impose assessments or charges or both on businesses within a parking and business improvement area which is in addition to any assessments, fees, charges or taxes imposed by the City and to use such proceeds for the benefit of businesses within such area by doing any and all of the following:

- A. General Business promotions
- B. Business activities
- C. Promotion of events
- D. Advertising to promote area businesses
- E. Landscaping
- F. Clean-up activities
- G. Physical improvements (Ord. 6626 § 1, (part) 2002)

Section 3.48.020 Resolution of Intention.

The parking and business improvements area herein created was initiated pursuant to the provisions of the Streets and Highways Code Section 36522 which required the adoption of a Resolution of Intention by the legislative body of any city creating such an area. The City Council of the City of Riverside, at a regular City Council meeting on August 27, 2002, adopted Resolution No. 20251 which declared its intention to consider establishing a parking and business improvement district pursuant to the parking and Business Improvement Area Law of 1989. (Ord. 6626 § 1, 2002 (part))

Section 3.48.030 Public Hearing.

Pursuant to the requirement of Streets an Highways Code Section 36522, pursuant to the Resolution of Intention, the City Council of the City of Riverside held a public hearing as a regularly scheduled City Council meeting on September 17, 2002, for the purpose of receiving testimony and considering protests and other comment from those businesses within the proposed area, and to receive any other information concerning the formation of the area of the business improvement district. Written protests were considered and determined to be less than 50 percent of the businesses on which assessments are to be levied. (Ord. 6626 § 1, 2002

(part))

Section 3.48.040 Parking and Business Improvement Area Established.

Pursuant to the provisions of the Streets and Highways Code Section 36500 and following sections, the City Council hereby establishes a Parking and Business Improvement Area called the Arlington Business Improvements District as described in this chapter. (Ord. 6626 §1, 2002 (part))

Section 3.48.050 Description of Area.

The Arlington Business Improvement District area created herein is in the Arlington area of the City of Riverside generally between Arlington Avenue on the north, along Van Buren Boulevard to Lincoln Avenue on the south, and a portion along Magnolia Avenue from Tyler Street on the west, to Jackson Street on the east, said area being more accurately described on the Arlington Business Improvement District map permanently placed on file in the Office of the City Clerk. The area is described in a legal description on file with the City Clerk and shown on the plat titled "Proposed Arlington Business Improvement District", attached hereto and marked as Exhibit A and incorporated herein by this reference. (Ord. 6626 § 1, 2002 (part))

Section 3.48.060 Businesses subject to amendments.

All businesses in the area, created and established under this chapter shall be subject to any amendments to this chapter enacted or adopted by the City Council of the City of Riverside and to any amendments to the Parking and Business Improvement Area Law of 1989 enacted or adopted by the state legislature as they apply to this chapter. (Ord. 6626 § 1, 2002 (part))

Section 3.48.070 System of assessments or charges imposed.

A charge system is hereby imposed whereby each business entity within the Parking and Business Improvement Area, known as the Arlington Business Improvement District, as hereby created, shall pay an amount equal to 90 percent (90%) annual increase, not to exceed \$400 per business, on the current City of Riverside business tax fee as set forth in this code, or as it may hereafter be amended. Such funds shall be assessed and collected concurrent with the payment of the required business tax payment as set forth in Title 5 of this code. Such funds are in addition to current business tax revenue and shall be kept in a separate account from current business tax revenues and shall be used for the purposes set forth in this chapter. (Ord. 6626 § 1, 2002 (part))

Section 3.48.080 Uses of revenues.

The revenues derived from the Arlington Business Improvement District assessments and charges shall only be used for improvements and activities to be provided in the area of the Arlington Business Improvement District for the following purposes:

- A. General business promotions
- B. Business Activities
- C. Promotion of events
- D. Advertising to promote area businesses
- E. Landscaping
- F. Clean-up activities
- G. Physical improvements

H. Other uses not inconsistent with the purposes enumerated in Section 3.48.010 Purpose. Revenues shall not be used to provide improvements or activities outside the area or for any purpose other than the purposes specified in the Resolution of Intention, as modified by the City

Council in its establishment of the area described in this chapter. (Ord. 6626 § 1, 2002 (part))

Section 3.48.090 Delegation of administration.

The City Council shall designate and appoint an advisory board which will make a recommendation to the City Council on the expenditure of revenues derived from the levy of assessments pursuant to this chapter and to operated programs and activities which are consistent with the purposes, goals, and uses set forth in this chapter, and to formally report back to the City Council at least annually, beginning no later than January 30, 2004. (Ord. 6626 § 1, 2002 (part))

Section 3.48.100 Findings of benefit.

The City Council, after holding a public hearing and providing an opportunity for protests to be heard and after taking testimony and comment from interested persons representing businesses within the area does hereby find that the public interest, convenience and necessity require that the area be established and that the businesses conducting their activities within the area will benefit by the expenditure of funds raised by the charges as contemplated by Section 36500, and following sections of the Streets and Highways Code. (Ord. 6626 § 1, 2002 (part))

Section 3.48.110 Modification.

Modification of boundaries, assessments, improvements and activities shall be subject to and in accordance with the procedures and requirements of the Property and Business Improvement Area Law of 1989 (Streets and Highways Code Section 36500 and following sections) as enacted or as amended. (Ord. 6626 § 1, 2002 (part))

Section 3.48.120 Operative date.

The operative date of this chapter is November 1, 2002. (Ord. 6626 § 1, 2002 (part))

Chapter 3.50

HEALTH FACILITIES FINANCING

Sections:

| | |
|-----------------|---|
| 3.50.010 | Title. |
| 3.50.020 | Supplemental authority. |
| 3.50.030 | Purpose. |
| 3.50.040 | Definitions. |
| 3.50.050 | Loans for health facilities. |
| 3.50.060 | Refinancing loans for health facilities. |
| 3.50.070 | Acquisition, construction, leasing and selling of health facilities. |
| 3.50.080 | Fees. |
| 3.50.090 | Insurance. |
| 3.50.100 | Rents and charges. |
| 3.50.110 | Security for loans. |
| 3.50.120 | Professional services. |
| 3.50.130 | Additional powers. |
| 3.50.140 | Issuance of bonds--Bonds not debt of City. |
| 3.50.150 | Costs of issuance. |
| 3.50.160 | Resolution--Bond provisions. |
| 3.50.170 | Bond provisions. |
| 3.50.180 | Pledge of revenues, money or property--Lien. |
| 3.50.190 | No personal liability. |
| 3.50.200 | Purchase of bonds. |
| 3.50.210 | Actions by bondholders. |
| 3.50.220 | Refunding bonds. |
| 3.50.230 | Bond anticipation notes. |
| 3.50.240 | Validity of bonds. |
| 3.50.250 | Liberal construction. |
| 3.50.260 | Omissions not to affect validity of bonds. |
| 3.50.270 | Full authority. |
| 3.50.280 | Additional authority. |
| 3.50.290 | Chapter controlling. |
| 3.50.300 | Severability. |

Section 3.50.010 Title.

This chapter may be cited as the City of Riverside Health Facilities Financing Law. (Ord. 5338 § 1, 1985)

Section 3.50.020 Supplemental authority.

This chapter shall be deemed to provide a complete additional and alternative method for doing the things authorized hereby and shall be regarded as supplemental and additional to the powers conferred by any other procedural ordinances of the City. (Ord. 5338 § 1, 1985)

Section 3.50.030 Purpose.

The Council hereby finds and declares that it is necessary, essential, a public purpose and a municipal affair for the City to be authorized to provide financing to health institutions that

provide essential services to residents of the City in order to aid such health institutions in containing costs and thereby to enable such health institutions to establish lower rates and charges than would otherwise prevail and to provide better service at such rates and charges. Unless the City intervenes to provide such financing, such rates and charges may increase at an ever accelerated pace because such health institutions cannot obtain financing at equivalent cost from private sources. (Ord. 5338 § 1, 1985)

Section 3.50.040 Definitions.

Unless the context otherwise requires, the terms defined in this chapter shall have the following meanings:

"Bonds" means any bonds, notes, certificates, debentures or other obligations issued by the City pursuant to this chapter.

"City" means the City of Riverside.

"Cost" means the total of all costs incurred by or on behalf of a participating health institution necessary or incident to acquisition, construction, rehabilitation or improvement of a health facility or the refunding or refinancing of obligations incurred to finance such acquisition, construction, rehabilitation or improvement. "Cost" shall include all such costs which under generally accepted accounting principles are properly chargeable to a capital account (whether or not actually so charged), including, without limitation, the cost of all lands, structures, real or personal property, franchises, rights and interests acquired or used in connection with a health facility, the cost of demolishing or removing any structures (including the cost of acquiring any lands to which such structures may be moved), the cost of engineering, architectural, financial and legal services, plans, specifications, studies, surveys, estimates, administration expenses or other expenses necessary or incident to determining the feasibility of or to acquiring, constructing, rehabilitating, improving or financing a health facility, including all costs of issuance of bonds for such purposes, reserves for debt service and for repairs, replacements, additions and improvements, and capitalized bond interest for such period as the City may determine.

"Council" means the City Council of the City of Riverside.

"Health facility" means any facility, place or building which is maintained and operated for the diagnosis, care, prevention and treatment of human illness, physical or mental, including convalescence, rehabilitation and care during and after pregnancy, or for any one or more of these services, and which provides and will continue providing to residents of the City essential health care services designated as such in an agreement between the City and the participating health institution providing or operating such facility, place or building.

Health facility includes a portion of one of the above types of facilities and includes the following facilities if operated in conjunction with one of the above types of facilities: a laboratory, a laundry, a nurses' or interns' residence, a housing facility for patients, staff or employees and the families of any of them, an administration building, a research, maintenance, storage, utility or parking facility and all real and personal property, land, buildings, structures, facilities, equipment, fixtures and furnishings related to any of the foregoing or required or useful for the operation of a health facility.

Health facility shall not include any facility, place or building used or to be used primarily for sectarian instruction or study or as a place for devotional activities or religious worship.

"Participating health institution" means a private corporation or association authorized by the laws of the state to provide or operate a health facility as defined in this chapter and which, pursuant to the provisions of this chapter, undertakes the financing of the acquisition, construction, rehabilitation or improvement of a health facility or undertakes the refunding or refinancing of obligations incurred to finance such acquisition, construction, rehabilitation or improvement.

"Revenues" means amounts received by the City as repayment of principal, interest, and all other charges with respect to a loan, lease, sublease or sale agreement under this chapter, any proceeds received by the City from mortgage, hazard or other insurance on or with respect to rents, charges, fees, income and receipts derived by the City from the financing of a health facility under this chapter, any amounts received by the City as investment earnings on moneys deposited in any fund or account securing bonds, and such other moneys as the Council may, in its discretion, lawfully designate as revenues. (Ord. 5338 § 1, 1985)

Section 3.50.050 Loans for health facilities.

The City may make, purchase, or otherwise contract for the making of a mortgage or other loan, upon such terms and conditions as the City shall deem proper, to any participating health institution for the cost of a health facility. (Ord. 5338 § 1, 1985)

Section 3.50.060 Refinancing loans for health facilities.

The City may make, purchase, or otherwise contract for the making of, a mortgage or other secured or unsecured loan, upon such terms and conditions as the City shall deem proper, to any participating health institution to refund or refinance outstanding obligations of such participating health institution incurred to finance the cost of a health facility, including expenses incident to paying or otherwise discharging the obligations to be refunded or refinanced, whether such obligations were incurred prior to or after the enactment of this chapter, if the City finds that such refunding or refinancing is in the public interest and either alleviates a financial or operating hardship of such participating health institution, or is in connection with other financing by the City for such participating health institution, or may be expected to result in lower costs of health care than would otherwise prevail and a savings to third parties, including government, and to others who must pay for care, or any combination thereof. (Ord. 5338 § 1, 1985)

Section 3.50.070 Acquisition, construction, leasing and selling of health facilities.

The City may acquire, construct, enlarge, remodel, renovate, alter, improve, furnish, equip, own, and lease as lessee a health facility for the purpose of selling or leasing such health facility to a participating health institution, and may contract with such participating health institution to undertake on behalf of the City to construct, enlarge, remodel, renovate, alter, improve, furnish, and equip such health facility.

The City may sell or lease, upon such terms and conditions as the City shall deem proper, to a participating health institution any health facility owned by the City under this chapter, including a health facility conveyed to the City in connection with a financing under this chapter but not being financed or refinanced hereunder. (Ord. 5338 § 1, 1985)

Section 3.50.080 Fees.

The City may charge participating health institutions application, commitment, financing and other fees, in order to recover all administrative and other costs and expenses incurred in the exercise of the powers and duties conferred by this chapter. (Ord. 5338 § 1, 1985)

Section 3.50.090 Insurance.

The City may obtain, or aid in obtaining, from any department or agency of the United States or of the State of California or of any private company, any insurance or guarantee as to, or of, or for the payment or repayment of, interest, principal, rents, fees or other charges or any part thereof on any loan, lease or sale agreement or any instrument evidencing or securing the same, made or entered into pursuant to the provisions of this chapter; and may accept payment

in such manner and form as provided therein in the event of default by a participating health institution, and may assign any such insurance or guarantee as security for bonds. (Ord. 5338 § 1, 1985)

Section 3.50.100 Rents and charges.

The City may fix rents, payments, fees, charges and interest rates for financing under this chapter and may agree to revise from time to time such rents, payments, fees, charges and interest rates to reflect changes in interest rates on bonds, losses due to defaults or changes in other expenses related to this chapter, including City administrative expenses. (Ord. 5338 § 1, 1985)

Section 3.50.110 Security for loans.

The City may hold deeds of trust, mortgages or security interests as security for loans and other obligations under this chapter and may pledge or assign the same as security for repayment of bonds. Such deeds of trust, mortgages or security interests may be assigned to, and held on behalf of the City by, any bank or trust company appointed to act as trustee by the City in any resolution or indenture providing for issuance of bonds. (Ord. 5338 § 1, 1985)

Section 3.50.120 Professional services.

The City may employ such engineering, architectural, financial, accounting, legal or other services as may be necessary in the judgment of the City for the purposes of this chapter. (Ord. 5338 § 1, 1985)

Section 3.50.130 Additional powers.

In addition to all other powers specifically granted by this chapter, the City may do all things necessary or convenient to carry out the purposes of this chapter. (Ord. 5338 § 1, 1985)

Section 3.50.140 Issuance of bonds--Bonds not debt of City.

A. The City may, from time to time, issue bonds for any of the purposes specified in Sections 3.50.050, 3.50.060 and 3.50.070.

Bonds shall be negotiable instruments for all purposes, subject only to the provisions of such bonds for registration.

B. Every issue of bonds shall be a limited obligation of the City payable from all or any specified part of the revenues and the moneys and assets authorized in this chapter to be pledged or assigned to secure payment of bonds. Such revenues, moneys or assets shall be the sole source of repayment of such issue of bonds. Bonds issued under the provisions of this chapter shall not be deemed to constitute a debt or liability of the City or a pledge of the faith and credit of the City but shall be payable solely from specified revenues, moneys and assets. The issuance of bonds shall not directly, indirectly, or contingently obligate the City of levy or pledge any form of taxation or to make any appropriation for their payment.

All bonds shall contain on the face thereof a statement to the following effect:
Neither the faith and credit nor the taxing power of the City is pledged to the payment of the principal of or premium, if any, or interest on this bond. (Ord. 6393 § 22, 1997; Ord. 5338 § 1, 1985)

Section 3.50.150 Costs of issuance.

In determining the amount of bonds to be issued, the City may include all costs of the issuance of such bonds, reserve funds, and capitalized bond interest. (Ord. 5338 § 1, 1985)

Section 3.50.160 Resolution--Bond provisions.

Bonds may be issued as serial bonds, term bonds, installment bonds or pass-through certificates or any combination thereof. Bonds shall be authorized by resolution of the Council and shall bear such date or dates, mature at such time or times, bear interest at such fixed or variable rate or rates, be payable at such time or times, be in such denominations, be in such form, either coupon or registered, carry such registration privileges, be executed in such manner, be payable in lawful money of the United States of America at such place or places, be subject to such terms of redemption and have such other terms and conditions as such resolution or any indenture authorized by such resolution to be entered into by the City may provide. Bonds may be sold at either a public or private sale and for such prices as the City shall determine. (Ord. 5338 § 1, 1985)

Section 3.50.170 Bond provisions.

Any resolution authorizing any bonds or any issue of bonds, or any indenture authorized by such resolution to be entered into by the City, may contain provisions respecting any of the following terms and conditions, which shall be a part of the contract with the holders of such bonds:

A. The terms, conditions and form of such bonds and the interest and principal to be paid thereon,

B. Limitations on the uses and purposes to which the proceeds of sale of such bonds may be applied, and the pledge or assignment of such proceeds to secure the payment of such bonds,

C. Limitations on the issuance of additional bonds, the terms upon which additional bonds may be issued and secured, and the refunding of outstanding bonds,

D. The setting aside of reserves and sinking funds and such other funds as are necessary or appropriate and the regulation and disposition thereof,

E. The pledge or assignment of all or any part of the revenues and of any other moneys or assets legally available therefor (including loans, deeds of trust, mortgages, leases, subleases, sales agreements and other contracts and security interests) and the use and disposition thereof, subject to such agreements with the holders of bonds as may then be outstanding,

F. Limitation on the use of revenues for expenditures for operating, administration or other expenses of the City,

G. Specification of the acts or omissions to act which shall constitute a default in the duties of the City to holders of such bonds, and providing the rights and remedies of such holders in the event of default, including any limitations on the right of action by individual bondholders,

H. The appointment of a corporate trustee to act on behalf of the City and the holders of its bonds, the pledge or assignment of loans, deeds of trust, mortgages, leases, subleases, sales agreements, and any other contracts or security interests to such trustee, and the rights of such trustee,

I. The procedure, if any, by which the terms of any contract with bondholders may be amended or abrogated, the amount of such bonds the holders of which must consent thereto, and the manner in which such consent may be given, and

J. Any other provisions which the City Council of the City of Riverside may deem reasonable and proper for the purposes of this chapter and the security of the bondholders. (Ord. 5338 § 1, 1985)

Section 3.50.180 Pledge of revenues, money or property--Lien.

Any pledge of revenues or other moneys or assets pursuant to the provisions of this

chapter shall be valid and binding from the time such pledge is made. Revenues, moneys and assets so pledged and thereafter received by the City shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against the City, irrespective of whether such parties have notice thereof. Neither the resolution nor any indenture by which a pledge is created need be filed or recorded except in the records of the City. (Ord. 5338 § 1, 1985)

Section 3.50.190 No personal liability.

Neither the members of the Council, the officers or employees of the City, nor any person executing any bonds shall be liable personally on the bonds or be subject to any personal liability or accountability by reason of the issuance thereof. (Ord. 5338 § 1, 1985)

Section 3.50.200 Purchase of bonds.

The City shall have the power out of any funds available therefor to purchase its bonds. The City may hold, pledge, cancel, or resell such bonds, subject to and in accordance with agreements with the bondholders. (Ord. 5338 § 1, 1985)

Section 3.50.210 Actions by bondholders.

Any holder of bonds issued under the provisions of this chapter or any of the coupons appertaining thereto, and any trustee appointed pursuant to any resolution authorizing the issuance of bonds, except to the extent the rights thereof may be restricted by such resolution or any indenture authorized thereby to be entered into by the City, may, either at law or in equity, by suit, action, mandamus, or other proceedings, protect or enforce any and all rights specified in law or in such resolution or indenture, and may enforce and compel the performance of all duties required by this chapter or by such resolution or indenture to be performed by the City or by any officer, employee, or agent thereof, including the fixing, charging, and collecting of rates, fees, interest, and charges authorized and required by the provisions of such resolution or indenture to be fixed, charged, and collected. (Ord. 5338 § 1, 1985)

Section 3.50.220 Refunding bonds.

A. The City may issue bonds for the purpose of refunding any bonds then outstanding including the payment of any redemption premiums thereof and any interest accrued or to accrue to the earliest or any subsequent date or dates of redemption, purchase, or maturity of such bonds.

B. The proceeds of bonds issued for the purpose of refunding any outstanding bonds may, in the discretion of the City, be applied to the purchase or retirement at maturity or redemption of such outstanding bonds, either at their earliest or any subsequent redemption date or dates or upon the purchase or retirement at the maturity thereof and may, pending such application, be placed in escrow, to be applied to such purchase or retirement at maturity or redemption on such date or dates as may be determined by the City.

C. Pending use for purchase, retirement at maturity or redemption of outstanding bonds, any proceeds held in escrow pursuant to Subsection B of this section may be invested and reinvested as provided in the resolution or indenture.

Any interest or other increment earned or realized on any such investment may be applied to the payment of the outstanding bonds to be refunded or to the payment of interest on the refunding bonds.

D. All bonds issued pursuant to this section shall be subject to the provisions of this

chapter in the same manner and to the same extent as other bonds issued pursuant to this chapter. (Ord. 5338 § 1, 1985)

Section 3.50.230 Bond anticipation notes.

In anticipation of the sale of bonds, the City may issue bond anticipation notes and may renew the same from time to time. Such notes shall be payable from any revenues or other moneys authorized by this chapter to be pledged to secure payment of bonds which are not otherwise pledged, or from the proceeds of sale of the bonds in anticipation of which they were issued. Such notes shall be issued in the same manner as bonds. Such notes and the resolution or indenture providing for their issuance may contain any provisions, conditions or limitations which a bond, or a resolution or indenture providing for the issuance thereof, may contain. (Ord. 5338 § 1, 1985)

Section 3.50.240 Validity of bonds.

The validity of the authorization and issuance of any bonds is not dependent on and shall not be affected in any way by any proceedings taken by the City for approval of any financing or the making of any loan or the entering into of any agreement, or by the failure to make any loan or enter into any agreement, for which bonds are authorized to be issued under this chapter. (Ord. 5338 § 1, 1985)

Section 3.50.250 Liberal construction.

This chapter being necessary for the welfare of the City and its inhabitants, this chapter shall be liberally construed to effect its purposes. (Ord. 5338 § 1, 1985)

Section 3.50.260 Omissions not to affect validity of bonds.

If the jurisdiction of the Council to order the proposed act is not affected, any omission of any officer or the City in proceedings under this chapter or any other defect in the proceedings shall not invalidate such proceedings or the bonds issued pursuant to this chapter. (Ord. 5338 § 1, 1985)

Section 3.50.270 Full authority.

This chapter is full authority for the issuance of bonds by the City for the purposes specified herein. (Ord. 5338 § 1, 1985)

Section 3.50.280 Additional authority.

This chapter shall be deemed to provide a complete, additional, and alternative method for doing the things authorized thereby, and shall be regarded as supplemental and additional to the powers conferred by other laws. The issuance of bonds under the provisions of this chapter need not comply with the requirements of any other law applicable to the issuance of bonds. The purposes authorized hereby may be effectuated and bonds may be issued for any such purposes under this chapter notwithstanding that any other law may provide for such purposes or for the issuance of bonds for like purposes and without regard to the requirements, restrictions, limitations, or other provisions contained in any other law. (Ord. 5338 § 1, 1985)

Section 3.50.290 Chapter controlling.

To the extent that the provisions of this chapter are inconsistent with the provisions of any general statute or special act or parts thereof the provisions of this chapter shall be deemed controlling. (Ord. 5338 § 1, 1985)

Section 3.50.300 Severability.

If any provision of this chapter or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable. The Council hereby declares that it would have adopted and passed this chapter and each word thereof, irrespective of the fact that any one or more of the other articles, sections, subsections, sentences, clauses, phrases or words hereof be declared invalid or unconstitutional. (Ord. 5338 § 1, 1985)